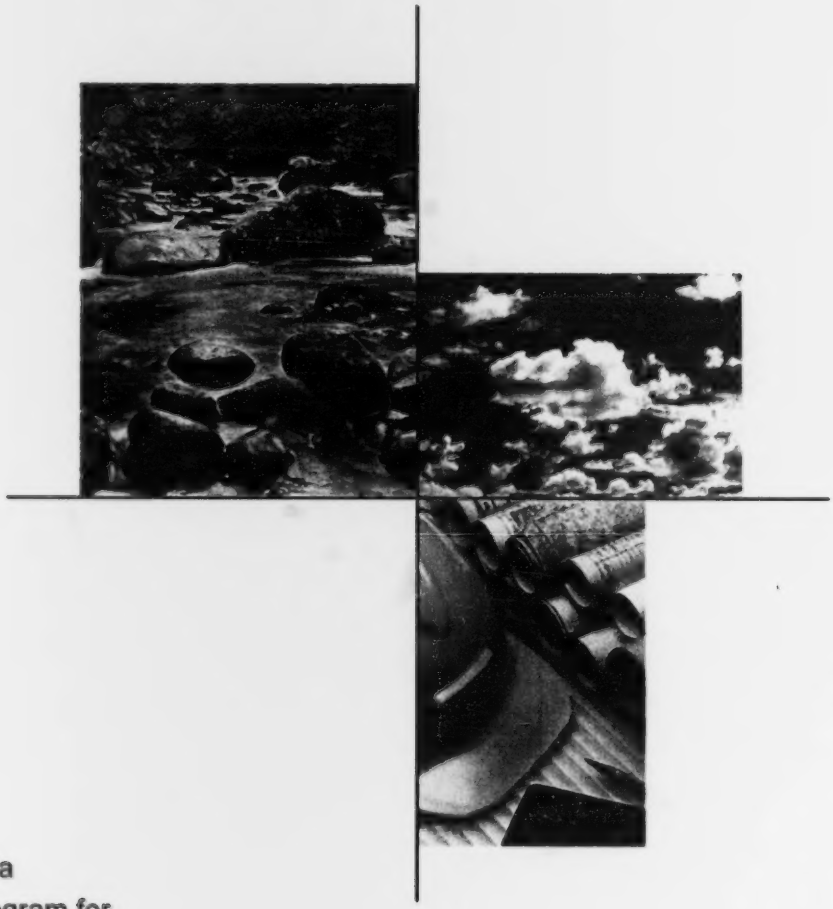
Canadian Environmental Assessment Agency
Agence canadienne d'évaluation environnementale

Federal Screenings

An Analysis based on Information from the Canadian Environmental Assessment Registry Internet Site



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Government of Canada
Quality Assurance Program for
Environmental Assessments under the
Canadian Environmental Assessment Act
December 2007

Canada

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EXECUTIVE SUMMARY

Amendments to the *Canadian Environmental Assessment Act* (the Act), proclaimed on 30 October 2003, created a duty on the part of the Canadian Environmental Assessment Agency (the Agency) to establish and lead a quality assurance program for assessments conducted under the Act. This first report of that program focuses on screenings, the assessment category that accounts for more than 99% of all assessments. It is based on information posted on the *Canadian Environmental Assessment Internet Site* (CEARIS). It addresses 18,056 screenings with *Notices of Commencement* posted during the 2004-06 period.

The purpose of the report is to pinpoint aspects of the screening program, or related aspects of the CEARIS, that might warrant closer examination with a view to possible future improvement. Three interrelated topics are addressed:

- the nature of projects screened under the Act
- the nature of the screening process
- the quality of service provided by the Internet site in relation to screenings

Those unfamiliar with the Act and regulations are strongly advised to read Chapter 2 carefully before reading subsequent chapters of the report. That chapter provides a description of the pertinent requirements of the Act and regulations, and the mechanisms that have been created to address them.

Findings

Nature of Projects Screened under the Act

Preliminary analysis of a subsample of 2259 screenings commenced in the year 2004 suggests that over 90% dealt with projects that appeared unlikely to cause more than minor adverse environmental effects or pose more than minor environmental risks. Although the analysis was subjective and based on the limited amount of information provided in *Notices of Commencement* posted on the CEARIS, it was nevertheless relatively insensitive to any likely range of variation in the ratings different analysts might assign to individual projects. Consequently, there is a reasonable high level of confidence in the fundamental conclusion of the analysis.

Nature of the Screening Process

Key Findings

Only 60 of the 18,056 screenings commenced during the period 2004-06 had *Notices of Public Participation* posted on the CEARIS pursuant to subsection 18(3) of the Act. Moreover, in 46 of those 60 cases, the Canadian Parks Agency was the responsible authority.

Responsible authorities have indicated that the absence of a *Notice of Public Participation* does not necessarily mean that no effort was made to obtain and

consider information and views of the public. They have also indicated that there are a number of "grey areas" in interpreting subsection 18(3) of the Act. Departments and agencies of the federal government have committed to studying the above matters in greater detail through a two-part work program described in Subsection 5.2.2 of this report.

Other Findings

The report outlines the following additional findings about past screenings which may in some cases warrant more detailed examination:

- The *Notice of Commencement* was usually, but not always, posted "within14 days after the commencement of an environmental assessment", as required by the Act.
- In the great majority of cases, *Notices of Commencement* were issued without subsequent amendment. However, there were quite a number of cases of *Notices of Commencement* being amended late in the process, sometimes even after the screening decision under section 20 of the Act had already been made.
- In the great majority of cases, the *Environmental Assessment Report Notice* required by the Act was posted on the CEARIS on the same day as the *Notice of Decision*, and consequently on or after the date of the screening decision under section 20 of the Act.
- In the majority of cases, the *Notice of Decision* was posted within a month of the indicated date of the screening decision under section 20 of the Act. However, in a small minority of cases, there were long delays.
- In the years 2004, 2005 and 2006, the median duration of screenings, from the indicated date of commencement to the indicated date of the screening decision under section 20 of the Act was 60, 50 and 41 days, respectively.
- In all but five cases, the responsible authority made a decision under section 20 of the Act to "exercise any power duty or function that would permit the project to be carried out in whole or in part". That decision was based on the judgment that the project was "not likely to cause significant adverse effects". Of the five remaining cases, two projects were referred to the Minister for referral to a review panel, and three projects were determined to be "likely to cause significant adverse environmental effects that cannot be justified in the circumstances".
- In the years 2004, 2005 and 2006, the indicated number of follow-up programs for screenings was 253, 83 and 45, respectively. The earlier figures are believed to be inflated because of misinterpretation of the term "follow-up program" as defined in the Act. Notices posted on the CEARIS do not clearly indicate whether the results of any of the above follow-up programs have actually been made available to the public.

Quality of Service provided by the Internet Site

Key Findings

The CEARIS functions well at a technical level, but decentralized inputting presents certain quality assurance challenges.

Perhaps the most important quality issue identified to date has been the existence of automatic system defaults for the date of commencement and the date of the section 20 screening decision. This has raised legitimate concerns about the accuracy of those key dates, to which legal responsibilities under the Act are attached. On 21 February 2006, changes were made to eliminate the possibility of those dates being generated automatically by the system. Issues surrounding the precise definitions of the above dates remain.

A significant development in support of continuous improvement of the quality of information posted on the CEARIS has been the creation of the *Interdepartmental Registry Team*. It is a permanent subcommittee of the Senior Management Committee on Environmental Assessment (SMCEA), the principal institution for interdepartmental cooperation on environmental assessment.

In cooperation with the *Interdepartmental Registry Team*, the Agency's CEARIS personnel have established and documented a governance structure and accountabilities for managing and maintaining the CEARIS.

Other Findings

The Agency's CEARIS personnel track and compile quality issues and prioritize action items for the site's continuous improvement. To date more than 400 specific action items have been compiled. Apart from date-related issue previously discussed, categories of quality issues that have been noted include the following:

- Occasional erroneous selection of items from menus and pick lists
- Occasional editing and translation problems
- Occasional misidentification of responsible authorities
- Sometimes confusing sequences of posted documents
- Possibly counter-intuitive method of listing original and subsequently updated versions of the *Notice of Commencement*
- Occasionally confusing document titles

It has also been noted that in only five cases have responsible authorities taken advantage of the CEARIS' capability to post screening reports online. Instead, the normal practice has been to post an *Environmental Assessment Report Notice* providing the name of a contact from whom the report can be obtained, and in some cases, the location or locations where the report can be viewed.

The Agency's own experience requesting copies of past screening reports suggests that an inconsistent quality of service is being provided. Although

almost half of the requested reports were received within two weeks, there were also numerous cases of long delay, requiring considerable persistence on the part of the requester. The problem most frequently encountered was the listing of obsolete contacts on CEARIS notices. There were also occasional instances of contacts expressing reservations about releasing the report; of non-existent reports, and of providing reports that were not actually screening reports.

Discussion

Effectiveness of the Internet Site

The work has revealed that the CEARIS functions well at a technical level, but has considerable unrealized potential to further improve federal screening practice. For example, capabilities for online posting of key documents have not been used to any notable extent.

Management of a decentralized system like the CEARIS presents many challenges which have been addressed in part by developing and documenting a governance structure and accountabilities framework and by establishing a permanent *Interdepartmental Registry Team*, which meets on an ongoing basis to discuss issues and work out solutions to encountered problems.

Public Participation in Screenings

The finding that *Public Participation Notices* are rarely posted has made it clear that more detailed work needs to be done to understand this important and complex subject. Federal departments and agencies have committed to a cooperative program that will shed further light on this issue.

Duration of Screenings

CEARIS data indicates that most screenings do not take an unacceptably long time to complete. As there are questions about the accuracy of past entries of commencement and decision dates for screenings with *Notices of Commencement* prior to 21 February 2006, it will take some time before reliable multi-year statistics on screening duration are available.

Follow-up Programs

CEARIS data indicates that follow-up programs are rare for screenings, and that the existence of follow-up program results is not being publicized.

Effectiveness of Screenings

An initial finding of the study is that very large proportion of projects screened under the Act appears unlikely to have the potential to cause more than minor adverse environmental effects or to pose more than minor environmental risks. This raises questions about the nature of benefits derived from conducting screenings of such projects. Further detailed work on this subject is warranted, both in the context of the mechanisms currently available to address such projects under the Act, as well as in the context of informing the upcoming Parliamentary review of the Act.

Federal Screenings

An Analysis based on Information from the Canadian Environmental Assessment Registry Internet Site

1 INTRODUCTION

1.1 Background

The *Canadian Environmental Assessment Act* (the Act) requires a federal authority (a Minister of the Crown in right of Canada; a department or agency of the federal government; or a parent federal Crown Corporation) to ensure the conduct of an environmental assessment of a project under any of the following circumstances:

- When it is the proponent of the project and does any act or thing that commits it to carrying out the project in whole or in part
- When it provides certain forms of financial assistance to the proponent, for the purpose of enabling the project to be carried out in whole or in part
- When it sells, leases or otherwise disposes of federal lands or interests in them, or transfers control of those lands or interests to a province, for the purpose of enabling the project to be carried out in whole or in part
- When it issues any type of permit or license or grants any approval for the purpose of enabling the project to be carried out in whole or in part

Port authorities established under section 8 of the *Canada Marine Act* are also required to ensure the conduct of an environmental assessment of a project under the first three of the above circumstances.

The Act provides for four levels of assessment:

- Screening (including class screening)
- Comprehensive study
- Mediation
- Panel review

Since its inception, the Act has required that a public registry be maintained for every assessment "for the purpose of facilitating public access to records relating to environmental assessments"[1]. That public registry "shall be operated in a manner to ensure convenient public access"[2].

On 30 October 2003, a package of amendments to the Act was proclaimed. The public registry was replaced by the "Canadian Environmental Assessment

[1] CEAA, subsection 55(1)
[2] CEAA, subsection 55(2)

Registry", and an Internet site of the Registry was established. [In this report the latter is called the "Canadian Environmental Assessment Registry Internet Site" (CEARIS), or simply, the "Internet site".]

The types of documents to be posted on the Internet site were specified in the amended Act, as were the parties responsible for posting them. The amended Act also introduced the requirement of "providing notice in a timely manner of the assessments"[1].

The paper-based public registry was named "project files", and was to include all documents related to the assessment, including those posted on the Internet site.

The amended Act requires responsible authorities (the federal authorities responsible for ensuring that an environmental assessment is conducted), port authorities, and in specified situations, the Canadian Environmental Assessment Agency (the Agency) to post documents on the Internet site. Moreover, it charges the Agency with operating and maintaining the Internet site on behalf of all parties that post documents there, and with setting the rules governing the site's operation.

The amended Act also created a duty on the part of the Agency to "establish and lead a quality assurance program for assessments conducted under this Act"[3]. This report is the initial publication of that program

1.2 Purpose of the Report

Since amendments to the Act were proclaimed on 30 October 2003, departments and agencies of the federal government and port authorities have been posting information about the screenings they conduct on the Internet site. In the calendar years 2004-2006, *Notices of Commencement* were posted for 18,056 screenings. This represents more than 99% of all environmental assessments conducted under the Act in those years.

In spite of the very large number of screenings conducted, our knowledge of the use of this type of environmental instrument remains fragmented and largely anecdotal. Each department and agency of the federal government and each port authority manages its own screening program. Moreover, screenings, for the most part, are undertaken in support of internal "environmental due diligence" functions of the organizations that ensure their conduct. Only a small proportion of screenings address projects with environmental issues that would attract the interest of the public. The advent of the Internet site has made information about screenings more accessible and more amenable to systematic study.

Given the large number of screenings undertaken, and the costs incurred by both the private and public sectors to conduct them, it is important to understand, in a global sense, how the federal screening program is currently functioning, and

[3] CEAA, paragraph 63(1)(d)

whether it is effectively and efficiently meeting its intended goals. It is also important to establish a current baseline from which priorities for improvement can be established, and the success of initiatives for improvement measured.

This first report of the Agency-led, government-wide quality assurance program uses data from the Internet site to create a first-ever overview of the entire screening program under the Act. Its purpose is to pinpoint areas of the program that might warrant closer examination, with a view to possible future improvement. Such improvement could occur within the existing legislative framework for environmental assessment; or it could require modification of that framework.

The primary audience of this report comprises managers and staff of the Agency, federal authorities and port authorities, all of which discharge certain duties that relate to screenings under the Act. The goal is to provide them with information about screenings that might influence their thinking on future priorities, decisions and actions to improve screenings and related functions of the Internet site. Each of the above entities is responsible for managing its own sphere of activity, setting its own priorities and taking its own actions, within the limitations of available human and financial resources. No attempt has been made in this report to recommend specific priorities or actions.

The second important audience for this report comprises direct stakeholders in the environmental assessment process; academics; lawyers and legislators; consultants; and other members of the Canadian public interested in the environmental assessment specifically or in environmental and sustainable development issues generally. This audience has an interest in the effectiveness of environmental assessment processes as conducted under current legislative frameworks, as well as an interest in the long-term improvement of those legislative frameworks.

1.3 Organization of the Report

Chapter 2 (Background on Screenings and the Internet Site) provides the information required to understand the complexities associated with undertaking screenings under the Act and meeting the Act's related Internet site requirements. It is intended to be detailed and comprehensive. Those unfamiliar with the Act and the Internet site may need to read this chapter carefully in order to be in a position to understand the chapters that follow. Those more familiar with those matters may read the chapter more selectively, or use it for reference purposes.

Chapter 3 (Approach and Methods) explains the approach and methods used in conducting the three component parts of the study: nature of projects screened under the Act; nature of the screening process; and quality of service provided by the Internet site.

Chapter 4 (Findings) is the main chapter of the report. It provides the results of the study, quantified to the maximum possible extent.

Chapter 5 (Steps taken to Date to improve the Quality of Screenings) describes initiatives of the Agency and other federal departments and agencies of the federal government to achieve greater quality and consistency in the conduct of screenings.

Chapter 6 (Discussion) highlights key findings, their interrelationships and their potential implications

2 BACKGROUND ON SCREENINGS AND THE INTERNET SITE

2.1 Screening Requirements

Screenings are the simplest and most discretionary form of environmental assessment conducted under the Act. In spite of their nomenclature, they are true environmental assessments which must consider the nature and significance of adverse environmental effects of projects and measures to mitigate significant effects.

A responsible authority must ensure that a screening is conducted and that a screening report is prepared. Under section 20 of the Act, the responsible authority, upon considering the screening report and comments filed under subsection 18(3) of the Act, decides whether or not it may "exercise any power or perform any duty or function that would permit the project to be carried out in whole or in part". Alternatively, a responsible authority may decide to refer the project to the Minister (of the Environment) for a referral to a mediator or review panel.

During project implementation, the responsible authority must ensure the implementation of any mitigation measures that it took into account in making its decision. Moreover, if it considers a follow-up program to be appropriate in the circumstances, it must design one and ensure its implementation.

A responsible authority exercises broad discretion in discharging its duties under the Act. It determines the scope of the project to be assessed, as well as the factors to be addressed in the screening, and their scope. It determines whether public participation in the screening [subsection 18(3)] or a follow-up program [subsection 38(1)] is appropriate in the circumstances.

During a screening, a responsible authority is required to maintain a public registry, called the Canadian Environmental Assessment Registry. The registry comprises a "project files" component and an "Internet site" component.

The Internet site, which was the result of amendments to the Act proclaimed in 2003, has introduced an element of transparency into screenings that was previously lacking. Moreover, it has introduced a number of specific compliance requirements that previously did not exist. Information on the Internet site is a rich new source of information about screenings that can be "mined" to broadly expand overall knowledge of how screenings currently function.

To understand that potential, it is necessary to first examine in some detail the current functioning of the Internet site, which in many respects reflects the current functioning of the Act.

2.2 *The Internet Site*

2.2.1 Important Characteristics

The Internet site is an Internet-based system for inputting and publicly displaying key information on environmental assessments conducted under the Act. Information can be inputted via any computer with Internet access by an official of a federal department or agency, or an employee of a federal Crown corporation or a port authority operating on federal land. The output of the system is available to the public via the Agency's website. Some of the key characteristics of the Internet site are described below.

Unique Identifying Number for Each Assessment

Each assessment on the Internet site is assigned a unique identifying number, and all documents pertaining to that assessment are grouped by that number.

Distributed Data Entry

The Internet site is specifically designed for decentralized data entry. Any person who has been issued a user account may enter information from any location on earth with access to the Internet. To date over 800 user accounts have been established.

Information Inputted as Text or Selected from an Array of Fixed Options

Certain information (Project Title, Project Description, Scope of Project) can be entered only in the form of text. However, the greatest possible use is made of devices like radio buttons, check boxes, pick-lists and drop-down menus to enter data. This has the effect of simplifying data entry, standardizing outputs and minimizing ongoing translation requirements. Discrete information entered in the above manner is in many cases converted by the system into flowing text to make the notices posted on the Internet site more readable.

Distributed Quality Assurance

Persons with user accounts can enter and edit draft information for subsequent posting. There is no centralized system to ensure the quality of the content of documents before they are made "live" on the Internet site. Instituting before-the-fact quality assurance procedures is entirely at the discretion of the individual persons and organizations that post to the Internet site. To date, no systematic studies have been conducted to determine the nature and prevalence of such procedures.

System Business Rules

The Internet site incorporates a limited number of "system business rules" that automatically impose certain requirements on how and when information may be entered. For example, where information must be entered in text boxes in one of Canada's official languages, the system automatically verifies whether a prescribed minimum number of characters have been entered into the corresponding text box for the other official language. The system does not allow

the information to be made "live" until it conforms to the business rule. Other system business rules may relate to the sequence or timing of the posting of key notices.

Some system business rules were incorporated into the Internet site when it was first launched in 2003. Since then, new business rules have been added and others modified in light of experience gained operating the Internet site.

Wide Range of Administrative Procedures

Responsible authorities employ a range of administrative procedures to fulfill their obligations to post information on the Internet site.

Fisheries and Oceans Canada has for some years operated a centralized project tracking system. That system was adapted to handle information required for the Internet site. The Department worked with the Agency to create a "business-to-business" interface, enabling certain information entered in the departmental system to be seamlessly transferred in the required format to the Internet site.

The majority of responsible authorities enter information directly into the system established for the Internet site. Tasks associated with the Internet site may be handled by the environmental assessment officer responsible for the screening or by other designated personnel within the responsible authority's organization. Depending upon the organization, those tasks may be organized and managed at the local, regional or national level.

The contacts indicated on documents and notices posted on the Internet site tend to reflect how tasks related to Internet site responsibilities are handled by each organization. They may variously be the environmental assessment officer responsible for the screening, a clerical or administrative person, a supervisor, an information manager, or a local, regional or national program manager.

2.2.2 Internet Site Requirements that pertain to Screenings

Subsection 55.1 (1) of the Act lists the following information, pertinent to screenings, which must be included on the Internet site:

- within 14 days after the commencement of an environmental assessment, notice of its commencement, except where a class screening report is used under subsection19(5) or (6)
- a description of the scope of the project in relation to which an environmental assessment is to be conducted, as determined under section 15
- notice of termination of an environmental assessment by a responsible authority under section 26 (if applicable)
- notice of termination of an environmental assessment by the Minister under section 27 (if applicable)

- any public notices that are issued by responsible authorities ... to request public input into an environmental assessment (if applicable)
- where the responsible authority, in accordance with subsection 18(3), gives the public an opportunity to participate in the screening of a project ..., a description of the factors to be taken into consideration in the environmental assessment and of the scope of those factors or an indication of how such a description may be obtained
- the screening ...report taken into consideration by a responsible authority for the purpose of a decision under section 20 ...or a description of how a copy of the report may be obtained, except where a class screening report is used under subsection 19(5) or (6)
- except where a class screening report is used under subsection 19(5) or (6), the decision of the responsible authority made under section 20 ..., concerning the environmental effects of the project, and a statement of any mitigation measures the implementation of which the responsible authority took into account in making its decision
- a notice stating whether or not, pursuant to subsection 38(1), a follow-up program for the project is considered appropriate
- a description summarizing any follow-up program and its results or an indication of how a full description of the follow-up program and its results may be obtained

In addition to the above, a responsible authority may, at its discretion post any other information that it considers appropriate, including lists of available documents.

Several standard notices have been developed to meet the various requirements of the Act that pertain to the Internet site. In some cases a single notice may address several different legal requirements. The notices that are relevant to screenings are described below.

Notice of Commencement (NOC)

The *Notice of Commencement* (**Figure 1**) is the first indication to the public that an environmental assessment of a project is underway. Information provided in this notice includes:

- Project title
- Location of project
- Date of posting the notice
- Responsible authority or authorities
- Date of commencement of screening
- Description of project, including scope of project addressed in screening

- Project type (undertaking in relation to a physical work; physical activity)
- General project descriptors, and departmental file numbers (provided in a linked sub-screen)
- Power, duty or function to be exercised by each responsible authority (screening triggers)
- Other jurisdiction assessing the same project (if applicable)
- Contact information
- Internet site reference number

NOTICE OF COMMENCEMENT
of an environmental assessment

Laniel Dam Rehabilitation
Laniel, Barrage de (QC)

February 4, 2004 -- Public Works and Government Services Canada and Fisheries and Oceans Canada will conduct a screening commencing on January 30, 2004 of the project: Laniel Dam Rehabilitation.

Rehabilitation of the existing spillway and replacement of the adjacent earth embankment.

Under section 5 of the *Canadian Environmental Assessment Act*, an EA is required for this project because Public Works and Government Services Canada is the proponent for the project and Fisheries and Oceans Canada may issue a permit or license under subsection 35(2) of the *Fisheries Act*.

Public Works and Government Services Canada will act as the Federal Environmental Assessment Coordinator for this environmental assessment.

For further information on this environmental assessment, please contact:
Tamara Taub
Senior Environmental Assessment Officer
380 Hunt Club Road
Ottawa ON K1A 0S5
Telephone: (613) 993-5908
Fax: (613) 993-6614
Email address: tamara.taub@pwgsc.gc.ca

and refer to CEAR reference number **04-01-940**

Figure 1. ***Notice of Commencement***

Except for the date of the posting, which is automatically entered by the system, all of the above information is entered by responsible authorities.

The *Notice of Commencement* may be amended one or more times to incorporate relevant new information or to correct errors. In such cases the system automatically displays the current version of the notice, but also provides dated links to any previous versions.

Scope of Factors Notice

Paragraph 18(3)(a) of the Act requires responsible authorities to undertake certain actions that involve posting additional documents to the Internet site in cases where they are "of the opinion that public participation in the screening of a project is appropriate in the circumstances"[4]. One such required action is that the responsible authority "shall, before providing the public with an opportunity to examine and comment on the screening report, include in the Internet site a description of the scope of the project, the factors to be taken into consideration in the screening and the scope of those factors or an indication of how such a description may be obtained"[5].

Since the *Notice of Commencement* already provides a description of the scope of project, the remaining requirements relate to "the factors to be taken into consideration in the environmental assessment and of the scope of those factors"[6]. Those requirements are satisfied by posting a notice of the type illustrated in **Figure 2**.

Public Participation Notices

Where a responsible authority "is of the opinion that public participation in the screening of a project is appropriate in the circumstances", the Act requires that, at a minimum, it "give the public an opportunity to examine and comment on the screening report and on any record relating to the project that has been included in the Registry before taking a course of action under section 20 and shall give adequate notice of that opportunity"[7]. Moreover, the Act further requires that any public notices that are issued by responsible authorities to request public input into an environmental assessment be posted on the Internet site.

An example of typical *Public Participation Notice* is provided in **Figure 3**.

As a convenience to the public, quick links to screenings where public participation is currently being invited are also provided on the home page of the Internet site.

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[4] CEAA, subsection 18(3)
[5] CEAA, paragraph 18(3)(a)
[6] CEAA, paragraph 20(4)(c)
[7] CEAA, paragraph 18(3)(b)

Scope of Factors

March 14, 2005 -- The document entitled "Description of Factors Considered in the Environmental Assessment" is available on request.

If you wish to obtain a copy of this document, please contact:

Tamara Taub
Senior Environmental Assessment Officer
380 Hunt Club Road
Ottawa ON K1A 0S5
Telephone: (613) 993-5908
Fax: (613) 993-6614
E-mail: tamara.taub@pwgsc.gc.ca

Figure 2. ***Scope of Factors Notice***

Public Participation Notice

March 11, 2005 -- The document entitled "Request for Public Input into the Environmental Assessment" is available. *Please note that the consultation period is now closed.*

To download the document, click on the icon below

You will require Adobe Acrobat Reader to view files on the Canadian Environmental Assessment Registry. If you choose not to use Acrobat Reader you can have the PDF file converted to HTML or ASCII text by using one of the conversion services offered by Adobe.

If problems persist, contact the Canadian Environmental Assessment Agency at: CEAR.RCEE@ceaa-acee.gc.ca and alternate document formats will be provided.

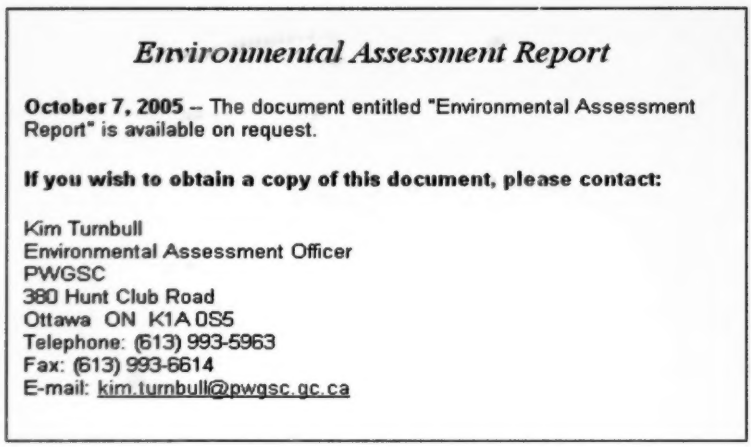
For further information on this document, please contact:

Tamara Taub
Senior Environmental Assessment Officer
380 Hunt Club Road
Ottawa ON K1A 0S5
Telephone: (613) 993-5908
Fax: (613) 993-6614
E-mail: tamara.taub@pwgsc.gc.ca

Figure 3. ***Public Participation Notice***

Environmental Assessment Report Notice

Responsible authorities are required to post on the Internet site either the screening report itself or a description of how a copy of the report may be obtained. This must be done before the responsible authority posts the *Notice of Decision* described below. In rare circumstances responsible authorities provide the screening report in electronic form on the Internet site, but in more than 99% of cases they post a description of how a copy of the report may be obtained. **Figure 4** is a typical example of a notice to achieve that purpose.



Environmental Assessment Report

October 7, 2005 – The document entitled "Environmental Assessment Report" is available on request.

If you wish to obtain a copy of this document, please contact:

Kim Turnbull
Environmental Assessment Officer
PWGSC
380 Hunt Club Road
Ottawa ON K1A 0S5
Telephone: (613) 993-5963
Fax: (613) 993-6614
E-mail: kim.turnbull@pwgsc.gc.ca

Figure 4. ***Environmental Assessment Report Notice***

Notice of Decision (NOD)

After making a "section 20" decision, the responsible authority is required to post on the Internet site its decision "and a statement of any mitigation measures the implementation of which the responsible authority took into account in making its decision"[8]. The Act also requires the posting of a notice indicating whether a follow-up program is considered appropriate. These various requirements of the Act are all addressed in the *Notice of Decision*, a typical example of which is provided in **Figure 5**.

[8] CEAA, paragraph 55.1(2)(r)

DECISION

February 9, 2006 – Fisheries and Oceans Canada, Public Works and Government Services Canada and Transport Canada have completed the screening of the Laniel Dam Rehabilitation and on February 9, 2006 determined to take the following course of action. The authority may exercise any power or perform any duty or function with respect to the project because, after having considered the screening report and comments from the public, the authority is of the opinion that the project is not likely to cause significant adverse environmental effects.

As detailed in the environmental assessment report, mitigation measures have been required for the project to address:

- air quality
- water quality
- water quantity
- sedimentation
- soil quality
- vegetation
- noise levels
- birds and/or their habitat
- fish and/or their habitat
- structure, site or thing of historic, archaelogical, paleontological or architectural significance
- socio-economic impacts

A follow-up program has been implemented to verify the accuracy of the environmental assessment of a project and/or determine the effectiveness of any measures taken to mitigate the adverse environmental effects of the project and because of the following reasons:

- Environmentally Sensitive Area/Valued Ecosystem Components
- Public Concerns
- New or Unproven Technologies

It is estimated this program will start on May 1, 2007 and continue until November 1, 2012.

For more information or how to obtain a full description of the follow-up program and its results, please contact:

Kim Turnbull
Environmental Assessment Officer
PWGSC
380 Hunt Club Road
Ottawa ON K1A 0S5
Telephone Number: (613) 993-5963
Fax: (613) 993-6614
E-mail address: kim.turnbull@pwgsc.gc.ca

and refer to CEAR reference number **04-01-940**

Figure 5. ***Notice of Decision***

Notices of Decision contain the following information:

- Posting date
- Responsible authority (or authorities)
- Project title
- Date of "section 20" decision
- Whether or not the responsible authority (authorities) is (are) of the opinion that the project is likely to cause significant adverse environmental effects
- Whether or not public comments were considered when making the decision(s)
- Environmental components addressed by the mitigation measures that were taken into account in making the decision(s)
- Whether or not a follow-up program for the project is considered appropriate
- Rationale for any follow-up program
- Predicted start and finish dates for any follow-up program
- Contact information

For screenings that do not involve follow-up programs, which comprise the vast majority of screenings, the *Notice of Decision* is a key milestone. When the *Notice of Decision* is posted for those screenings, the screening is classified on the Internet site as "completed". The Act does not, however, specify a time limit for posting a *Notice of Decision*, and the screening will continue to be classified on the Internet site as "active" until such time as a *Notice of Decision* is actually posted.

If the *Notice of Decision* indicates a requirement for a follow-up program, the Internet site will continue to classify the screening as "active" until the date indicated on the notice for completing the follow-up program. Once that date is reached, the screening will be automatically classified as "completed", whether or not the follow-up program has actually been completed.

Follow-up Program Notices

If the *Notice of Decision* indicates that a follow-up program is to be implemented, the responsible authority is required to post on the Internet site "a description summarizing any follow-up program and its results or an indication of how a full description of the program and its results may be obtained"[9]. The Act does not specify how or when this should be done. The standard *Follow-up Program Notice* developed to address the above provision of the Act is shown in **Figure 6**.

[9] CEAA, paragraph 55.1(2)(t)

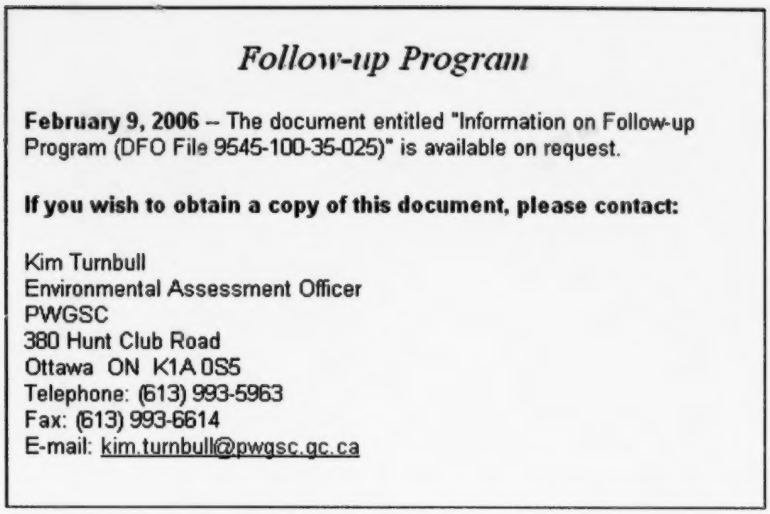

Follow-up Program
February 9, 2006 -- The document entitled "Information on Follow-up Program (DFO File 9545-100-35-025)" is available on request.
If you wish to obtain a copy of this document, please contact:
Kim Turnbull
Environmental Assessment Officer
PWGSC
380 Hunt Club Road
Ottawa ON K1A 0S5
Telephone: (613) 993-5963
Fax: (613) 993-6614
E-mail: kim.turnbull@pwgsc.gc.ca

Figure 6. ***Follow-up Program Notice***

There would appear to be a variety of ways of meeting the Act's requirements through the use of this notice. For example, a responsible authority could first post a *Follow-up Program Notice* to address the design of the program, and could subsequently post one or more additional *Follow-up Program Notices* to address the results of the program. Alternatively, the responsible authority could wait until the follow-up program was completed before posting a single *Follow-up Program Notice* addressing both the design of the program and its results.

As previously discussed, a screening with a follow-up program is classified on the Internet site as "active" until the date of completion of the follow-up program indicated on *Notice of Decision*. The length of time these screenings remain "active" bears no relationship to the length of time it actually takes to reach a "section 20" decision.

Notice of Termination

A responsible authority may terminate a screening at any time if it "decides not to exercise any power or perform any duty"[10] that would require the conduct of a screening. Such a termination might result, for example, from the cancellation of a funding program that renders obsolete the need for an assessment. In all such cases the responsible authority is required to post a *Notice of Termination* on the Internet site. The standard notice for this purpose is shown is shown in **Figure 7**.

[10] CEAA, Section 26

Notice of Termination

May 18, 2004 -- Western Economic Diversification Canada has terminated this environmental assessment because a decision has been made to not exercise any power or perform any duty or function referred to in section 5 of the *Canadian Environmental Assessment Act* in relation to the project.

For more information, please contact:

Western Economic Diversification - Alberta Region
Western Economic Diversification - Alberta Infrastructure
Suite 1500
9700 Jasper Ave
Edmonton AB T5J 4H7
Telephone Number: (780) 422-1151
E-mail address: abinfrastructure@wd.gc.ca

and refer to CEAR reference number **04-01-2290**

Figure 7. *Notice of Termination*

Notice of Cancellation

The Agency has also developed a *Notice of Cancellation* (**Figure 8**). Although this is not a requirement of the Act, the notice serves the useful administrative purpose of indicating why a *Notice of Commencement*, which should not have been posted on the Internet site in the first place, has now been removed.

Notice of Cancellation

August 9, 2005 -- Agriculture and Agri-Food Canada has cancelled this environmental assessment on August 9, 2005 because this project has been scoped within a broader proposed project.

For more information, please contact:

Céline Leibel
Environmental Specialist
Agriculture and Agri-Food Canada
600, 138-4th Avenue SE
Calgary AB T2G 4Z6
Telephone Number: (403) 292-4989
Fax: (403) 292-5659
E-mail address: leibelc@agr.gc.ca

and refer to CEAR reference number **05-01-12137**

Figure 8. *Notice of Cancellation*

Posting other Information

A responsible authority may, at its sole discretion and without limitation, post any additional information on the Internet site that will facilitate the conduct of the screening.

2.2.3 Inputting Procedures

Information on the Internet site is inputted from hundreds of locations via an Internet-based interface. The inputting mechanisms streamline, to the extent possible, the procedures for meeting the requirements of the Act regarding the posting of information on the Internet site. The main features of the inputter's interface are:

- Text boxes for entry of free-form text. These are required for information unique to each assessment, like the project title, project description and project scope. This information must be provided in both official languages.
- Devices like radio buttons, check-boxes (**Figure 9**) and drop-down menus (**Figure 10**) for selecting from a range of repetitively used standardized options (e.g., general descriptor of project; responsible authority; geographical locators for the project). Selections can be made in either official language and the outputs are automatically produced in both official languages.

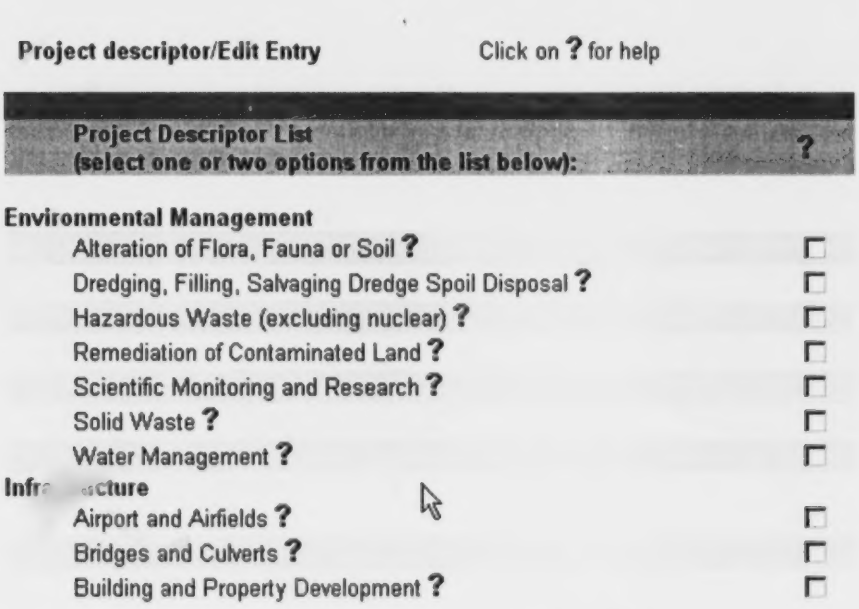

Project descriptor/Edit Entry
Click on ? for help
Project Descriptor List
(select one or two options from the list below):
?
Environmental Management
Alteration of Flora, Fauna or Soil ?
Dredging, Filling, Salvaging Dredge Spoil Disposal ?
Hazardous Waste (excluding nuclear) ?
Remediation of Contaminated Land ?
Scientific Monitoring and Research ?
Solid Waste ?
Water Management ?
Airport and Airfields ?
Bridges and Culverts ?
Building and Property Development ?

Figure 9. Example of an input screen utilizing check-boxes

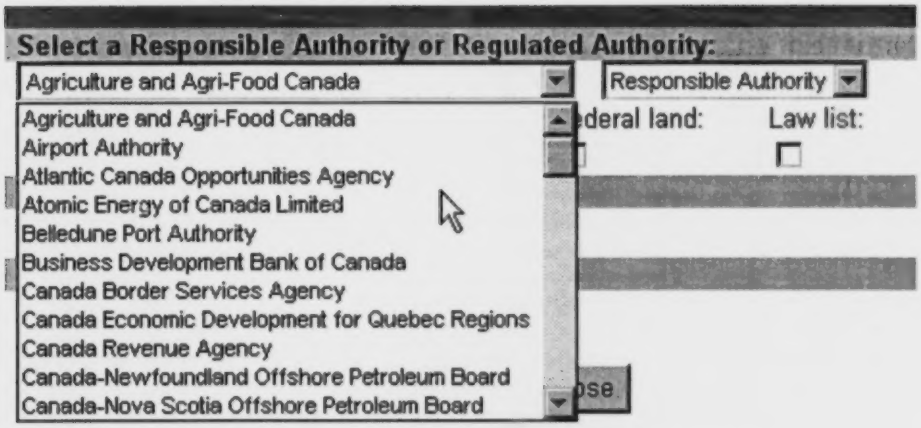


Figure 10. Example of an input screen utilizing a drop-down menu

On some input screens a drop-down menu may include a system default item that may be replaced by actively inputting more appropriate information. This has been the case for entering certain dates and document names. Examples include the screens for entering the date of commencement of the screening indicated on the *Notice of Commencement*; for entering the date of the "section 20" decision on the *Notice of Decision*; and for entering the name of the screening report on the *Environmental Assessment Report Notice*. When the system uses a default date, there is no way of knowing whether the inputter made a conscious determination that the default date was accurate. *[Note: System changes were implemented on 21 February 2006 to eliminate default dates in all date fields.]*

The system uses an automated language function to convert many of the discrete inputs into more user-friendly flowing text in both official languages. This provides a more consistent interface with public users and minimizes translation costs, but also carries some risk of producing outputs that are grammatically incorrect, awkward or confusing.

The system itself automatically dates all notices posted on the Internet site at the moment they are made "live".

2.3 *Summary: Screening Milestones and related Internet Site Requirements*

The following milestones occur in every screening conducted under the Act: commencement of the screening; completion of the screening report; and "section 20" decision. In cases where there is public participation in the screening, there is also, at a minimum, a requirement to give the public an opportunity to examine and comment upon the screening report and any record relating to the project that has been included in the Registry before taking a course of action (decision) under section 20 of the Act. The responsible authority

may also provide the public with other opportunities to participate in the screening.

During project implementation, responsible authorities are required to ensure that the mitigation measures they took into account in making their "section 20" decision are implemented. Moreover, if they have identified the need for a follow-up program, they must design one and ensure its implementation.

The following minimum requirements, related to postings on the Internet site, apply to all screenings that do not involve public participation:

- *Notice of Commencement* no later than 14 days after commencing the screening
- "Section 20" decision no sooner than the 15th day after posting the *Notice of Commencement*
- *Environmental Assessment Report Notice* no later than the date of posting the Notice of Decision
- *Notice of Decision* must be posted (no maximum time limit)

The following minimum requirements, related to postings on the Internet site, apply to all screenings that involve public participation:

- *Notice of Commencement* no later than 14 days after commencing the screening
- At a minimum, the responsible authority must "give the public an opportunity to examine and comment on the screening report and on any record relating to the project that has been included in the Registry before taking a course of action under section 20".[11] It must also "give adequate notice of that opportunity"
- Before providing the public with the above opportunity, the responsible authority must post on the Internet site a description of the scope of the project, the factors to be taken into consideration in the screening and the scope of those factors, or an indication of how such a description may be obtained. This is done via the *Scope of Factors Notice*
- All public notices issued by responsible authorities to request public input into a screening must be posted on the Internet site
- The responsible authority may not make a "section 20" decision any sooner than the 15th day after it posts the *Scope of Factors Notice*
- *Notice of Decision* must be posted (no maximum time limit)

If a responsible authority determines that a "follow-up program for the project is appropriate in the circumstances"[12], it must:

---

[11] CEAA, paragraph 18(3)(b)
[12] CEAA, subsection 38(1)

- Indicate the nature and timing of the follow-up program in the *Notice of Decision*
- Post one or more *Follow-up Program Notices* that provide either a summary description of the follow-up program and its results, or an indication of how to obtain a full description of the above

The range of possible situations related to screenings is depicted in **Figure 11**.

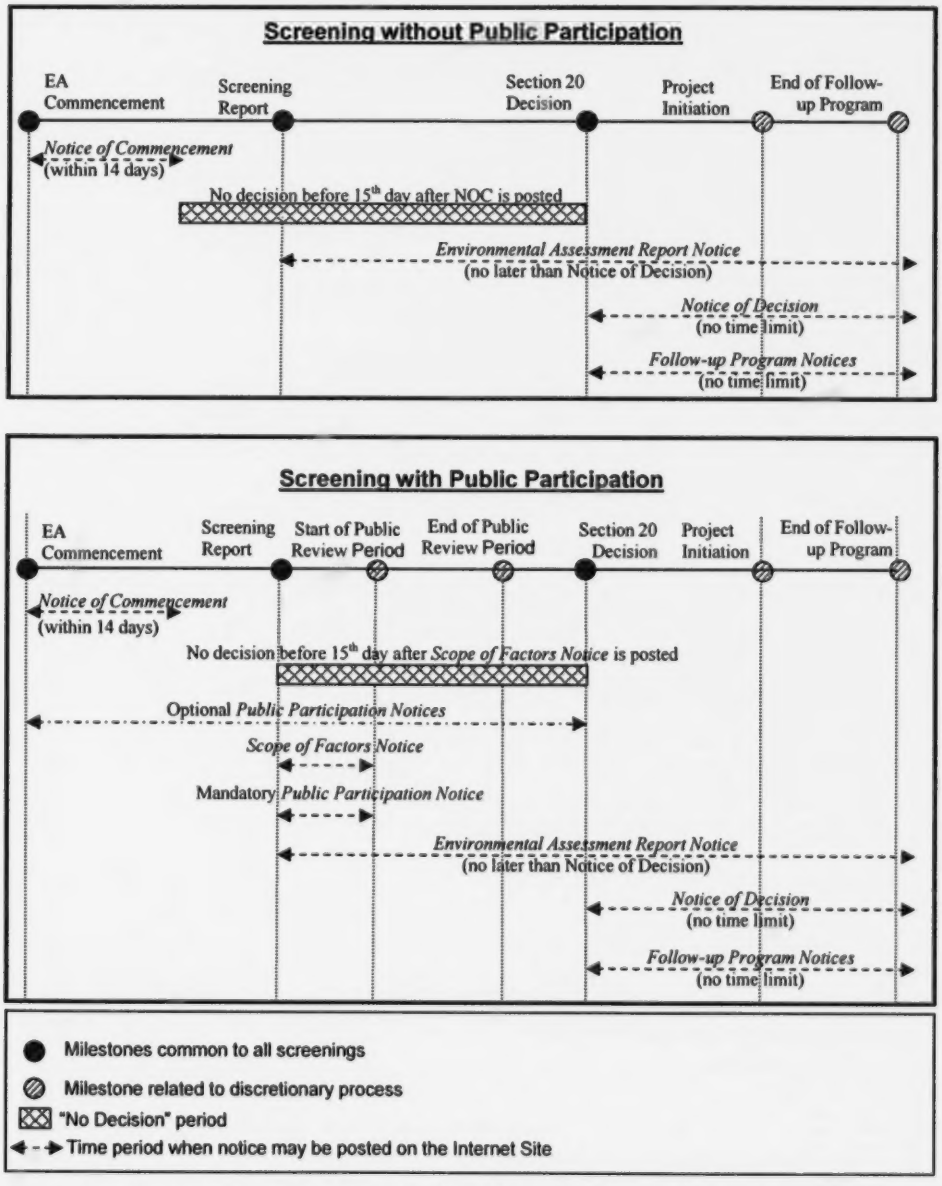

Screening without Public Participation
EA Commencement
Screening Report
Section 20 Decision
Project Initiation
End of Follow-up Program
Notice of Commencement (within 14 days)
No decision before 15th day after NOC is posted
Environmental Assessment Report Notice (no later than Notice of Decision)
Notice of Decision (no time limit)
Follow-up Program Notices (no time limit)
Screening with Public Participation
EA Commencement
Screening Report
Start of Public Review Period
End of Public Review Period
Section 20 Decision
Project Initiation
End of Follow-up Program
Notice of Commencement (within 14 days)
No decision before 15th day after Scope of Factors Notice is posted
Optional Public Participation Notices
Scope of Factors Notice
Mandatory Public Participation Notice
Environmental Assessment Report Notice (no later than Notice of Decision)
Notice of Decision (no time limit)
Follow-up Program Notices (no time limit)
Milestones common to all screenings
Milestone related to discretionary process
"No Decision" period
Time period when notice may be posted on the Internet Site

Figure 11. Screening milestones and related Internet site requirements

3 APPROACH AND METHODS

Information publicly available on the Internet site was utilized to address three key aspects of screenings that relate directly or indirectly to their quality:

- the nature of projects screened under the Act
- the nature of the screening process
- the quality of service provided by the Internet site

3.1 Nature of the Projects Screened under the Act

Every *Notice of Commencement* posted on the Internet site during the months of February, May, August and November, 2004 was analyzed in order to obtain a "snapshot in time" of the types of projects screened under the Act. The above procedure ensured a large, unbiased sample that reflected the seasonal variation in the types of projects screened. The sample comprised 2259 *Notices of Commencement*, or about 35% of the 6529 Notices of Commencement for screenings posted in the year 2004.

The projects described in the *Notices of Commencement* were sorted into specific categories (e.g., wells (oil, land); small craft facility), and the various projects in each category assigned qualitative ratings, on an ascending scale of one to four. The ratings assigned reflected predicted potential to cause adverse environmental effects or pose environmental risks. They were assigned on the basis of the nature, scale and "routineness" of the projects, insofar as those attributes could be determined from the project titles and project descriptions provided in *Notices of Commencement*. Generally speaking, projects that had greater potential to cause adverse environmental effects or pose environmental risks were described in greater detail in *Notices of Commencement* than those that were clearly of a highly routine nature.

In most cases it was found that there was sufficient information to come to an adequate understanding of the projects to categorize and rate them. The work of categorizing and rating projects was shared among four analysts. They worked cooperatively to establish consistency of approach and also independently categorized and rated a subsample of projects to test their consistency in performing those tasks.

3.2 Nature of the Screening Process

Internet site information from 18,056 screenings whose *Notices of Commencement* were posted on the site during the calendar years 2004 to 2006 were analyzed to describe, at a high level, how the federal screening process has functioned since the Act was amended late in 2003. To facilitate the analysis of such a large quantity of information, the Agency created and maintained a separate quality assurance database that mirrored relevant parts of the database of the *Canadian Environmental Assessment Registry Internet Site* (CEARIS).

The analysis resulted in a good statistical overview of a range of parameters, including:

- Timeliness in posting *Notices of Commencement*
- Public participation in screenings
- Time provided to the public prior to the "section 20" decision
- Amendments to *Notices of Commencement*
- Timeliness in posting *Notices of Decision*
- Duration of screening process
- "Section 20" decisions
- Follow-up programs

A number of the analyses involved time parameters that were captured in the Internet site database fields shown in **Table 1**, and subsequently in the mirror fields of the Microsoft ACCESS™ database used for quality assurance purposes. The calculations performed by the latter database are show in **Table 2**.

Table 1. Key Time-Related Data Fields of the Internet Site

Title	Description	Source
EA Start Date	Date screening commenced, as identified by responsible authority	Responsible Authority
First NOC Posting	Date of posting original *Notice of Commencement*	Internet Site Generated
Current Posting	Date of posting most recent version of *Notice of Commencement*	Internet Site Generated
Report Posting	Date of posting *Environmental Assessment Report Notice*	Internet Site Generated
Decision Date	Date of screening decision under section 20(1)	Responsible Authority
Decision Posting	Date of posting Notice of Decision (NOD)	Internet Site Generated

Table 2. Time-Related Calculations Performed by Microsoft ACCESS™ Database

Time Interval	Formula
Time from commencement of EA to posting of *Notice of Commencement*	DateDiff("d",[EA Start Date],[First NOC Posting])
Time from initial posting of *Notice of Commencement* to posting of its most recent amendment	DateDiff("d",[First NOC Posting],[Current NOC posting])
Time from posting of *Notice of Commencement* to posting of *Environmental Assessment Report Notice*	DateDiff("d",[First NOC Posting],[Report post date])
Time from posting of *Environmental Assessment Report Notice* to posting of *Notice of Decision*	DateDiff("d",[Report Post date],[Decision Posting date])
Time from initial posting of *Notice of Commencement* to posting of *Notice of Decision*	DateDiff("d",[First NOC Posting],[Decision Posting date])
EA duration	DateDiff("d",[EA Start Date],[Decision date])
Time from actual EA decision to posting of *Notice of Decision*	DateDiff("d",[Decision Date],[Decision posting date])
Time from initial posting of *Notice of Commencement* to actual EA decision	DateDiff("d",[First NOC Posting],[Decision Date])
Time from posting of most recent amendment of *Notice of Commencement* to posting of *Notice of Decision*	DateDiff("d",[Current NOC Posting],[Decision Posting date])
Time from posting of *Environmental Assessment Report Notice* to actual EA decision	DateDiff("d",[Report Posting Date],[Decision Date])
Time from actual commencement of EA to posting of *Notice of Decision*	DateDiff("d",[EA Start Date],[Decision Posting Date])

3.3 Quality of Service provided by the Internet Site

The work described in Sections 3.1 and 3.2, as well as other ongoing work of the Agency's quality assurance staff has relied upon information posted on the *Canadian Environmental Assessment Internet Site* (CEARIS). Through the use and analysis of that information, staff members have become aware of a range of quality issues. Moreover, Agency personnel responsible for managing the CEARIS routinely monitor, identify note and document quality issues. These various activities of Agency staff have given rise to the identification of a range of issues of varying importance.

Quality of Information Posted on the Internet Site

Members of the Agency's quality assurance staff have read thousands of notices of every description posted on the CEARIS, and have discovered and noted issues of potential concern. The primary emphasis has been placed on those issues that could potentially be problematic from the standpoint of a member of the public using the site.

In providing customer service to federal departments and agencies over a period of more than three years, Agency staff responsible for managing the CEARIS have noted and documented quality issues large and small that might eventually need to be addressed.

Throughout the course of the study, and continuing to the present, there has been substantial cooperation between the Agency's quality assurance and CEARIS staff in identifying, prioritizing and addressing quality issues.

Availability of Screening Reports

The Agency selected 820 screenings from the previously described sample of 2259 completed screenings from the months of February, May, August and November, 2004, to assemble a reference collection of screening reports reflective of the diversity of project types, geographical locations and responsible authorities associated with the larger sample. Requests for the screening reports were staggered over a period of approximately nine months, from July 4, 2005 to March 24, 2006. Thus the screening reports in question were requested anywhere from 7 to 26 months after the screenings had been completed.

A database was established to systematically track the progress of the above process. Inputted data included: contact name; date of initial telephone communication; dates of subsequent telephone and E-mail communications; date of receipt of screening report; and relevant notes.

The database was created for purely administrative purposes, and not as a method of studying issues related to obtaining screening reports. Nevertheless, it was decided that the data warranted analysis for any relevant insights it might provide.

4 FINDINGS

The status of the 18,056 screenings addressed in this study is summarized in **Table 3**. This and all subsequent tables in this report refer to assessments whose *Notices of Commencement* were posted in each of the calendar years 2004, 2005 and 2006, and all indications of their current status reflect the situation that existed at the end of the last day of 2006. It should be noted that the statistics on screenings in Table 3 below are based on calendar years, and do not correspond to the statistics provided in the Agency's annual *Departmental Performance Report*, which are based on the federal government's April 1 to March 31 fiscal year.

Table 3. Current Status[1] of Screenings with *Notices of Commencement* Dating to the Years 2004, 2005 and 2006

Year of NOC[2]	Number of NOCs	Number of NOCs with Amendments	Environmental Assessment Report Notices Posted	Termination or Cancellation Notices Posted	Notices of Decision Posted	Notices of Decision Pending
2004	6531	802	5694	696	5466	369
2005	6320	736	5364	442	4821	1057
2006	5205	272	3261	259	2774	2172

Note 1: Current status refers to the situation at the end of the last day of 2006

Note 2: NOC stands for Notice of Commencement

The table indicates that 369 out of the 6531 of screenings commenced in 2004 (less than 6%) still had *Notices of Decision* pending at the end of 2006. For screenings commenced in 2005, the number was 1057 out of 6320 (17%), and for those commenced in 2006, it was 2172 out of 5205 (42%).

4.1 Nature of the Projects Screened under the Act

Content analysis of a sample of 2259 *Notices of Commencement* posted in February, May, August and November 2004 revealed that more than 90% of the screenings dealt with projects predicted to have low potential to cause adverse environmental effects or pose environmental risks (**Table 4**).

Although the analysis is based on professional judgement and is therefore inherently subjective, the analysts involved in the study expended considerable effort to ensure both project-to-project and analyst-to-analyst consistency of ratings of predicted environmental effects or risks. The end result is that the rating assigned to a given project by a given analyst is unlikely to vary by more than one point on the rating scale. Although ratings given to specific projects might be open to challenge in certain instances, any reasonable upward or downward adjustments of the ratings would have minimal effect on the fundamental conclusion of the analysis, that is, that the great majority of projects screened under the Act deal with projects predicted to have low potential to cause adverse environmental effects or pose environmental risks.

Table 4. Overall Distribution of Ratings of Projects described in a Sample of 2259 *Notices of Commencement* from the Year 2004

Rating	Rating Criteria	Percentage of Screenings
1	Routine projects with minimal potential to cause adverse environmental effects or to pose environmental risks. The potential project-specific environmental benefit derived from conducting a screening would tend to be correspondingly small.	44.2%
2	Routine projects with minor potential to cause adverse environmental effects or to pose environmental risks. Some project-specific environmental benefit could be derived from conducting a screening, although this might be quite variable from one project to another.	49.8%
3	Projects with clear potential to cause adverse environmental effects or to pose environmental risks of local importance. Considerable project-specific environmental benefit could be derived from conducting a screening.	5.8%
4	Projects with clear potential to cause adverse environmental effects or to pose environmental risks of regional or even national importance. Substantial environmental benefit could be derived from conducting a screening, or in certain cases, a comprehensive study or panel review.	0.3%

Table 5 shows the distribution of ratings, by project category, of the projects described in the sample of the 2259 *Notices of Commencement*.

Although Table 5 is a "snapshot in time" of a dynamic situation affected by such factors as the state of the economy and government priorities, it nevertheless provides a very good "feel" for the very broad range of projects of every description and scale that are screened under the Act.

Several new class screenings have been declared since 2004. Some types of project listed in Table 5 are now being assessed under a class screening process, which does not involve posting a *Notice of Commencement*. For example, cattle watering facilities are now addressed under a class screening process established for small agricultural projects.

Table 5. Distribution of Ratings, by Project Category, of Projects described in a Sample of 2259 *Notices of Commencement* from the Year 2004

Project Type	*# of screenings given a Rating of:*				*# in Sample*
	1	*2*	*3*	*4*	
Agriculture (access permit)	263				263
Buildings (commercial, industrial or institutional)	59	62	2		123
Agriculture (fencing)	91	1			92
Vegetation management/control	24	54	3		81
Wharf, jetty or breakwater	5	74			79
Small craft facility	17	52	1		70
Agriculture (cattle watering facility)	64	4			68
Dredging/spoil disposal (routine)	1	66			67

Table 5. Distribution of Ratings, by Project Category, of Projects described in a Sample of 2259 *Notices of Commencement* from the Year 2004

Project Type	*# of screenings given a Rating of:*				*# in Sample*
	1	*2*	*3*	*4*	
Agriculture (drainage)	52	9			61
Shoreline stabilization works	1	51	1		53
Property development (commercial, industrial or institutional)	36	12			48
Bridge (maintenance, repair, replacement, removal)	4	40	1		45
Buildings (single family residential)	34	8	1		43
Biological field research	41				41
Wells (land, gas)	1	39			40
Outdoor tourism enterprise (not otherwise specified)	34	5			39
Culverts (maintenance, repair, replacement, removal)	3	30	3		36
Agriculture (grazing permit)	35				35
Bridge (new)	4	14	17		35
Roads (maintenance, repair, minor upgrade, paving)	7	28			35
Property development	20	13	1		34
Wastewater treatment/disposal system	6	26	2		34
Bank or shoreline stabilization works		33			33
Wells (land, oil)		32			32
Roads (new or major upgrade)	4	19	5		28
Stream channel realignment/alteration		26	1		27
Manufacturing/processing facility	4	16	6		26
Piped services (water and sewer lines)	9	16			25
Hiking, cross-country skiing or bicycle trail	8	14	2		24
Buildings (demolition)	15	7			22
Forestry (selective)	1	20			21
Water supply treatment	2	17	2		21
Aquaculture facility (finfish)		2	18		20
Pipelines (buried, natural gas)	3	16	1		20
Permit (land use/access)	11	8			19
Pipelines (buried, oil or natural gas)	1	14	3		18
Petroleum storage tanks (removal, modification, replacement)	8	9			17
Fish waste disposal		16			16
Wells (land, oil or natural gas)		15			15
Permit (explosives)		14			14
Remediation of contaminated land/groundwater (other)	5	9			14
Water supply intake	1	13			14
Cable (land, buried)	8	4			12
Property or building appurtenances (unclassified)	5	6			11

Table 5. Distribution of Ratings, by Project Category, of Projects described in a Sample of 2259 *Notices of Commencement* from the Year 2004

Project Type	*# of screenings given a Rating of:*				*# in Sample*
	1	*2*	*3*	*4*	
Telecommunication towers	7	4			11
Aquaculture facility (shellfish)		2	8		10
Military exercise	5	5			10
Power generation (wind)		2	6	2	10
Wildlife management/control	5	4	1		10
Buildings (miscellaneous)	7	2			9
Culverts (new)		8	1		9
Other field research	5	4			9
Parking lot (new/expansion)	8	1			9
Permit (unspecified)	7	2			9
Remediation of petroleum/petrochemical contaminated land/groundwater	1	8			9
Airport infrastructure	3	3	2		8
Land drainage	1	7			8
Pipelines (unspecified)		8			8
Property or building appurtenances	5	3			8
Fence	4	3			7
Filling		7			7
Land restoration	1	5	1		7
Petroleum storage (new)	3	3	1		7
Storm sewers and drains		7			7
Water supply well	3	4			7
Agriculture (livestock operation)		6			6
Attraction development	2	2	2		6
Pipelines (buried, oil)		5	1		6
Sport field or arena	1	5			6
Agriculture (buildings)	3	2			5
Agriculture (irrigation facility)	1	4			5
Geological field research		5			5
Log dump		5			5
Motorized recreation vehicle trail or area	2	2	1		5
Public outdoor event	4	1			5
Water supply reservoir	1	2	2		5
Boat docks		4			4
Broadband towers		4			4
Dam (maintenance, repair)		4			4
Harbour land lease		4			4
Highways (new or major upgrade)			3	1	4
Hydroelectric facility (<20MW)			4		4
Other (ownership transfer)	4				4
Pits and quarries (new or expansion)		4			4
Port infrastructure	1	2	1		4
Property development (single family residential)	3	1			4

Table 5. Distribution of Ratings, by Project Category, of Projects described in a Sample of 2259 *Notices of Commencement* from the Year 2004

Project Type	*# of screenings given a Rating of:*				*# in Sample*
	1	*2*	*3*	*4*	
Seismic exploration (offshore)		1	3		4
Seismic exploration (on land)	1	2	1		4
Agriculture (waste management facility)		3			3
Arena or stadium	2	1			3
Buildings (multi-unit residential)	1	2			3
General use park		3			3
geothermal heating/cooling system		3			3
Landfill		2	1		3
Mineral exploration		2	1		3
Weir (construction)		3			3
Aircraft landing facility (fixed wing)		1	1		2
Aircraft landing facility (helicopter)		2			2
Antenna installation	1	1			2
Bridge (widening)		1	1		2
Buildings (mixed use)		2			2
Golf course		1	1		2
Mine (expansion)			1	1	2
Mine (new)			1	1	2
Other (land demarcation)	2				2
Power generation (bio-fuel)		2			2
Power generation (solar)	1	1			2
Power plant (cogeneration)		1	1		2
Refuelling facility	2				2
Remediation of heavy metal contaminated land/groundwater	1	1			2
Roads (winter)			2		2
Storm water treatment and management system		1	1		2
Stream restoration			2		2
Unclear description	1	1			2
Wetland alteration/infilling		1	1		2
Abandonment	1				1
Agriculture (land conversion)			1		1
Agriculture (land lease)		1			1
Agriculture (vegetable farm)	1				1
Beacon replacement	1				1
Cable (underwater)		1			1
Channel blasting			1		1
Chemical storage facility		1			1
Commuter rail facility		1			1
Culverts (temporary)		1			1
Dam (new or modified)		1			1
Dam (removal)			1		1

Table 5. Distribution of Ratings, by Project Category, of Projects described in a Sample of 2259 *Notices of Commencement* from the Year 2004

Project Type	*# of screenings given a Rating of:*				*# in Sample*
	1	*2*	*3*	*4*	
Downhill ski facility			1		1
Dredging/spoil disposal (contaminated sediments)			1		1
Engineering investigation		1			1
Hazardous waste (removal)		1			1
Hazardous waste (storage facility)		1			1
Hazardous waste (transportation)		1			1
Highways (maintenance, repair, minor upgrade, paving)			1		1
Hydroelectric facility (operational modification)			1		1
Industrial Park (new, expansion)			1		1
Low/medium voltage power lines	1				1
Other (cruise ship visit)		1			1
Other (facility upgrade)	1				1
Other (floating boom)		1			1
Other (pipeline facility decommissioning)		1			1
Other (pipeline transfer)	1				1
Other (satellite dish)	1				1
Other (school energy project)	1				1
Permit (fishing)	1				1
Power line maintenance/repair/decommissioning	1				1
Power plant (unspecified)	1				1
Radar installations		1			1
Remediation of toxic organic compound contaminated land/groundwater		1			1
Service upgrade (unspecified)	1				1
Site investigation	1				1
Track upgrade		1			1
Transfer station		1			1
Wastewater outfall		1			1
Waterfront redevelopment project				1	1
Total	**999**	**1124**	**130**	**6**	**2259**

4.2 Nature of the Screening Process

4.2.1 Timeliness in Posting *Notices of Commencement*

The Act requires responsible authorities to post a *Notice of Commencement* "within 14 days after the commencement of an environmental assessment".

Median and average delays in posting *Notices of Commencement*, calculated from data posted on the Internet site, are provided in **Table 6**. The table indicates that median delays were short; that average delays were close to the legislated

limit of 14 days; and that a relatively small percentage of *Notices of Commencement* were posted later than the Act requires. The data suggest that performance has been improving over time. For example, the 2006 data indicate that more than half of the 2006 *Notices of Commencement* were posted on the same day as the screening commenced; that the average posting delay was 11.1 days and that in 9.4% of cases it exceeded the 14-day maximum stipulated by the Act. However, some caution is warranted in interpreting the data because, as indicated in Subsection 4.3.1, there are issues about the accuracy of the dates of commencement of the environmental assessment indicated in *Notices of Commencement*.

Table 6. Timeliness in Posting *Notices of Commencement* (2004-06)

Year NOC Posted	Median Delay in Posting NOC (days)	Average Delay in Posting NOC (days)	% of Late Postings (delay >14 days)
2004	2	11.1	14.0%
2005	1	14.6	13.6%
2006	0	11.1	9.4%

4.2.2 Public Participation in Screenings

Although, as indicated in Subsection 4.1, the majority of projects screened under the Act have low potential to cause adverse environmental effects or pose environmental risks, and in most cases can be inferred to be of minimal interest to the public, this is not the situation in every case. Subsection 18(3) of the Act specifies that where "the responsible authority is of the opinion that public participation in the screening of a project is appropriate in the circumstances ... the responsible authority shall give the public an opportunity to examine and comment upon the screening report and on any record relating to the project that has been included in the Registry before taking a course of action under section 20 and shall give adequate notice of that opportunity". It also specifies that "the responsible authority shall, before providing the public with an opportunity to examine and comment on the screening report, include in the Internet site a description of the scope of the project, the factors to be taken into consideration in the screening and the scope of those factors or an indication of how such a description may be obtained". Finally it indicates that "the responsible authority may, at any stage in the screening that it determines, give the public any other opportunity to participate".

Paragraph 55.1(1)(h) of the Act specifies that the Internet site shall include "any public notices that are issued by responsible authorities or the Agency to request public input into the environmental assessment". Paragraph 55.1(1)(j) of the Act specifies that the Internet site shall include "where the responsible authority, in accordance with subsection 18(3), gives the public an opportunity to participate in the screening of a project ... a description of the factors to be taken into

consideration in the environmental assessment and of the scope of those factors or an indication of how such a description may be obtained".

During the three-year period covered by this study, 60 *Public Participation Notices* were posted on the Internet Site in relation to 18,056 screenings. The screenings to which those *Public Participation Notices* pertained are listed in **Table 7**. When notices posted on the Internet site indicated that that the public had been provided with opportunities to participate in the assessment that went beyond being given the opportunity to examine and comment on the screening report, this is also indicated on the table.

Table 7. Screenings with *Public Participation Notices*

Internet Site Identifier	Project Title	Responsible Authority	Public Participation Opportunities beyond Examining and Commenting on Screening Report
British Columbia			
04-01-5265	Hector Gorge Gravel Pit Access Road Re-Route	PCA	
04-01-5907	Emerald Lake Sports and Gifts License of Occupation Renewal and Construction of Boat Storage Shed	PCA	
04-01-7216	Fay Hut Reconstruction and License of Occupation	PCA	
04-01-7642	Kootenay Valley Viewpoint Tree Removal	PCA	
05-01-10632	Rubber Boa Radiotelemetry Research - Radium Hot Springs	PCA	
05-01-12163	Haffner Creek Micro-Hydro Project	PCA	
05-01-14709	Emerald Lake Lodge Facility Protection Project	PCA	
05-01-15670	Field - Hostel Construction	PCA	
06-01-19921	Mt. King Prescribed Burn	PCA	
06-01-21871	Kicking Horse Campground Wastewater Infrastructure Upgrades	PCA	
06-01-21913	Twin Falls Teahouse Facility Protection Project	PCA	
06-01-21914	Field Community Facility Protection Project	PCA	
Alberta			
03-01-65	Columbia Icefields Snocoach Access Road Realignment and Relocation of Transfer Area	PCA	
04-01-816	Deer Lodge Staff Housing	PCA	
04-01-1367	TransCanada Highway Upgrade, Banff National Park	PCA	X
04-01-2120	Saskatchewan Crossing Prescribed Burn	PCA	
04-01-3260	Miette Hotsprings Pool and Deck Renovations	PCA	
04-01-3349	Saskatchewan Crossing Warden Station Contaminated Site Remediation, Banff National Park	PCA	
04-01-4159	Installation of Meadowlark Gondola Ski Lift and Removal of Friendly Giant Quad Chairlift, Lake Louise Ski Area Resorts of the Canadian	PCA	
04-01-7499	Lake Louise Community Wildfire Protection Project	PCA	

Table 7. Screenings with *Public Participation Notices*

Internet Site Identifier	Project Title	Responsible Authority	Public Participation Opportunities beyond Examining and Commenting on Screening Report
05-01-9363	Tonquin Valley Adventures License of Occupation Renewal	PCA	
05-01-9873	Fairmont Chateau Lake Louise - Extension of Water Intake	PCA	
05-01-10341	Lake Louise Community Wildlife Fence	PCA	
05-01-10931	ATCO Pipelines - Natural Gas Transmission Line Relocation at Jasper Lake	PCA	
05-01-12486	Resorts of the Canadian Rockies - Temple Lodge Wastewater Line & Manhole Replacement	PCA	
05-01-12492	Resorts of the Canadian Rockies - Meadow Snowmaking Mainline & Lateral Replacement, Lateral Addition On Sunny T-bar & Associated Electrical Upgrades	PCA	
05-01-12556	Contaminated Sites Investigation, 2005	PCA	
05-01-12591	Banff Field Unit: Control of Non-Native Plants, 2005.	PCA	
05-01-12965	Fortis Alberta - Distribution Line Replacement at the Lake Louise Ski Area	PCA	
05-01-14994	Jasper Municipal Water Works	PCA	
06-01-16814	Paradise Valley Reconfiguration Project	PCA	
06-01-17765	Bow Lake Day Use Area Washroom Upgrade	PCA	
06-01-18174	Howse Pass Day Use Area Redevelopment	PCA	
06-01-18362	Fairmont Jasper Park Lodge - Lease, Water Permit and License of Occupation Replacement	PCA	
06-01-18366	Parks Canada - Guided Trail Bicycling Trial	PCA	
06-01-19786	Resorts of the Canadian Rockies - Temple Lodge Wastewater Line Replacement	PCA	
06-01-20595	Resorts of the Canadian Rockies- Snowmaking mainline, lateral and spurline replacement and electrical addition	PCA	
06-01-21301	Lake Louise Day-Use Area Washroom Replacement, Banff National Park	PCA	
06-01-21780	Baker Creek Prescribed Burn	PCA	
06-01-22843	Alpine Village - Master Plan and License of Occupation Reconfiguration	PCA	
Saskatchewan			
04-01-1676	Waskesiu River Weir Installation	PCA	
Manitoba			
03-01-611	Red River Floodway Expansion project	INFC	
04-01-5785	Canadian Museum for Human Rights	WED	
Ontario			
04-01-591	Proposed use of Slightly Enriched Uranium (SEU) Fuel at the Bruce "B" Nuclear Generating Station	CNSC	
04-01-8081	Bruce A Refurbishment for life extension and continued operation (Bruce Power)	CNSC	X

Table 7. Screenings with *Public Participation Notices*

Internet Site Identifier	Project Title	Responsible Authority	Public Participation Opportunities beyond Examining and Commenting on Screening Report
04-01-8141	Rehabilitation of the Alexandra (Interprovincial) Bridge	PWGSC	
04-01-8208	Construction and Operation of facilities for Refurbishment Waste Storage (RWS) at the Western Waste Management Facility	CNSC	
04-01-8407	Proposed Modifications to the Operation of the Blind River Refinery Incinerator	CNSC	
05-01-9683	Installation of Wind Turbine, Land Force Central Area Training Centre (LFCA TC) Meaford, Ontario	DND	
05-01-14147	Crib (Pier) Removal At South-western End of Gordon Island	PCA	
05-01-16158	A Continuous Insulated Metal Panel Line	HPA	
06-01-17079	Replacement of the Stanleigh Mine Treatment Facility	CNSC	
06-01-18170	Detroit River International Crossing	TC	X
06-01-18746	Construction of a railway spur in the City of Oshawa	CTA	?
Quebec			
04-01-940	Laniel Dam Rehabilitation	PWGSC	
Nova Scotia			
05-01-11374	Aerial Application of Btk in Jeremys Bay Campground, Kejimkujik National Park and National Historic Site	PCA	
Newfoundland and Labrador			
04-01-6091	Aliant Telecom / Construction of Digital Cellular Site	PCA	
04-01-7972	Orphan Basin Exploration Drilling Program	CNLOPB	X
05-01-9544	Newfoundland Power - Reliability Upgrade Project for the Community of Charlottetown, Newfoundland and Labrador	PCA	
06-01-17653	Snowmobile Use in Gros Morne National Park	PCA	

CNLOPB Canada Newfoundland and Labrador Offshore Petroleum Board
CNSC Canadian Nuclear Safety Agency
CTA Canadian Transportation Agency
DND Department of National Defence
HPA Hamilton Port Authority
INFC Infrastructure Canada
PCA Parks Canada Agency
PWGSC Public Works and Government Services Canada
TC Transport Canada
WED Western Economic Diversification Canada

Parks Canada Agency was the responsible authority for 46 of the above screenings. According to information it posted on the Internet site, its usual procedure was to make the screening report available in the Park Office for public comment, and to post the appropriate notices both locally and on the

Internet site. In one case (TransCanada Highway Upgrade, Banff National Park) the information posted on the Internet site described other opportunities for the public to participate in the screening.

The following nine responsible authorities posted *Public Participation Notices* on the Internet site in relation to 14 projects:

- Canada Newfoundland and Labrador Offshore Petroleum Board (1 project)
- Canadian Nuclear Safety Commission (5 projects)
- Canadian Transportation Agency (1 project)
- Department of National Defence (1 project)
- Hamilton Port Authority (1 project)
- Infrastructure Canada (1 project)
- Public Works and Government Services Canada (2 projects)
- Transport Canada (1 project)
- Western Economic Diversification Canada (1 project)

The 14 projects were in the following locations:

- Manitoba (2 projects)
- Ontario (10 projects)
- Quebec (1 project)
- Newfoundland and Labrador offshore (1 project)

Federal and provincial Internet sites clearly indicate that the public had opportunities, beyond examining and commenting on the screening report, to provide input to the following screenings:

- Red River Floodway Expansion project (Infrastructure Canada)
- Detroit River International Crossing (Transport Canada)
- Bruce A Refurbishment for life extension and continued operation (Canadian Nuclear Safety Commission)
- Orphan Basin Exploration Drilling Program (Canada Newfoundland and Labrador Offshore Petroleum Board)

The Red River Floodway Expansion project was assessed under a cooperative environmental assessment process led by the province of Manitoba, and also involving Fisheries and Oceans Canada, Infrastructure Canada and Transport Canada. The overall assessment incorporated an extensive Public Consultation and Involvement Plan (PIP). It comprised four distinct rounds of consultation that pre-dated the screening. The federal screening drew upon the earlier public consultation work that was led by the province.

The Detroit River Crossing is being cooperatively assessed by the Province of Ontario and the Government of Canada. As of I July 2007, a public participation plan involving both jurisdictions had been prepared, and six individual public participation events had taken place.

The Canadian Nuclear Safety Commission held a one-day public hearing on Bruce A Refurbishment project after reviewing and considering written public comments on its screening of the project.

The Orphan Basin Exploration Drilling Program commenced as a comprehensive study, but subsequently became a screening after the *Comprehensive Study List Regulations* were amended. Public consultations on establishing the scope of the assessment consequently occurred at an early stage of the assessment.

Responsible authorities have indicated that the absence of a *Public Participation Notice* on the Internet site did not necessarily imply that a screening had not involved efforts to obtain and consider information and views of the public. An examination of some of the screening reports in the Agency's reference collection confirmed that, in a number of cases, efforts of this nature had been made in situations where no *Public Participation Notice* had been posted.

In view of the complexities and subtleties of the situation, responsible authorities are undertaking further work on the interpretation and implementation of subsection 18(3) of the Act and on the nature of actual efforts made to obtain and consider information and views of the public during the conduct of screenings. This work is discussed further in Chapter 5 of this report.

4.2.3 Availability of the Screening Report

The Act requires that "A screening report referred to in paragraph 55.1(2)(*k*) or a description of how a copy of it may be obtained shall be included in the Internet site not later than the decision referred to in paragraph 55.1(2)(*r*) that is based on the report, unless otherwise authorized by the Agency."[13]

The above wording is somewhat ambiguous, in that the word "decision" could be interpreted as meaning either the actual screening decision of the responsible authority under section 20 of the Act, or the posting of that decision on the Internet site.

The statistics provided in **Table 8** relate the posting dates of *Environmental Assessment Report Notices* to the posting dates of corresponding *Notices of Decision*. In the great majority of cases, the *Environmental Assessment Report Notice* is posted on the same day as the *Notice of Decision*. [It should be noted that a "system business rule" prevents the posting of the *Environmental Assessment Report Notice* after the *Notice of Decision*.]

[13] CEAA, Subsection 55.3(3)

Table 8. Statistics relating Posting Dates of *Environmental Assessment Report Notices* to Posting Dates of corresponding *Notices of Decision*

	% of Screening Reports Posted				
Year	> 1 month before NOD	15-30 d before NOD	8-14 d before NOD	1-7 d before NOD	Same day as NOD
2004	10.4%	10.2%	1.1%	2.6%	75.7%
2005	11.2%	11.0%	0.9%	2.5%	74.4%
2006	6.0%	5.1%	1.2%	3.0%	84.6%

The statistics provided in **Table 9** relate the posting dates of Environmental Assessment Report notices to the dates of corresponding "section 20" screening decisions. The percentage of screening reports made available in advance of a "section 20" decision is quite low. Some caution is warranted in interpreting the data because, as indicated in Subsection 4.3.1, there are issues about the accuracy of the "section 20" decision dates indicated in Notices of Decision. In at least some instances the actual dates of that decision may be earlier than those assumed in the table.

Table 9. Statistics relating Posting Dates of *Environmental Assessment Report Notices* to Dates of corresponding "Section 20" Decisions

	% of Screening Reports Posted								
Year	> 6 m before Decision	1-6 m before Decision	15d–1 m before Decision	1-14 d before Decision	Same day as Decision	1-14 d after Decision	15d–1 m after Decision	1-6 m after Decision	> 6 m after Decision
2004	1.4%	4.7%	11.3%	2.2%	36.2%	23.1%	4.6%	6.1%	10.4%
2005	0.5%	4.4%	15.1%	2.4%	36.0%	26.2%	5.0%	7.7%	2.8%
2006	0.0%	3.5%	6.8%	3.1%	47.0%	27.1%	6.7%	5.4%	0.4%

4.2.4 Time provided prior to "Section 20" Decision

For a simple screening without public participation, the screening decision under section 20 of the Act may not be made until the 15th day following the day the *Notice of Commencement* was posted. For example, if the *Notice of Commencement* is posted on the 1st of the month, the responsible authority's "section 20" decision may not be made until the 16th of the month. If the screening involves public participation, the "section 20" decision may not be made until the 15th day following the day when the *Scope of Factors Notice* is posted on the Internet site.

It is important to understand that the "15th day" provision of the Act relates to the actual date of the responsible authority's decision under section 20 of the Act, and not to the date of posting the *Notice of Decision*. As discussed in Subsections 4.2.3 and 4.3.1, there are uncertainties surrounding that date.

Instances of non-compliance with the "15th day" provision were noted in the early days of the Internet site's operation. During the period from January 1 to April 15, 2004, 104 out of 620 *Notices of Commencement* (17%) appeared to be non-compliant with that requirement. On April 15, 2004 the Agency instituted an Internet site "system business rule" that automatically prevented the posting of *Notices of Decision* until the "15th day" provision had been met.

The inadvertent effect of that system business rule was to automatically block the posting of hundreds of *Notices of Decision*, in spite of the fact that the decisions had already been made. Consequently the Internet site gave incorrect information on the status of many screenings, and the time taken to complete them.

On 27 October 2006, to improve the accuracy and reliability of information posted on the CEARIS, the system business rule for posting EA decisions was modified, and; thereafter, a *Notice of Decision* could be posted regardless of the decision date. Now, upon posting a *Notice of Decision* that does not meet the legal requirement, the system displays a message reminding responsible authorities of the their obligations under subsection 20(4) of the *Canadian Environmental Assessment Act.*

4.2.5 Amendments to *Notices of Commencement*

Responsible authorities may make minor amendments to *Notices of Commencement* without being considered to have "reset the clock" in relation to the previously discussed "15th day" stipulation for a "section 20" decision. Examples of minor amendments of this nature include corrections to spelling and punctuation, and provision of additional information about a project that does not have the effect of changing its scope.

In the majority of cases *Notices of Commencement* are never amended. The following percentages of *Notices of Commencement* remained unchanged throughout the screening process during the period covered by the study:

- 87.7% of screenings with *Notices of Commencement* posted in 2004
- 88.4% of screenings with *Notices of Commencement* posted in 2005
- 94.8% of screenings with *Notices of Commencement* posted in 2006

Statistics relating dates of final amendments of *Notices of Commencement* to dates of corresponding "section 20" decisions are provided in **Table 10**. *Notices of Commencement* were amended less than 15 days before the "section 20" decision in only a small percentage of all screenings. In some of those cases the *Notice of Commencement* was actually amended after the decision was made.

Table 10. Statistics Relating Dates of Final Amendments of *Notices of Commencement* to Dates of Corresponding "Section 20" Decisions

	% of Screenings with Notices of Commencement Amended						
Year of NOC	Without Section 20 Decision	>1 mo before Decision	15–30 d before Decision	8–14 d before Decision	1-7 d before Decision	< 1 d before Decision	After Decision
2004	0.9%	5.1%	1.5%	0.5%	0.6%	1.3%	2.4%
2005	1.1%	3.4%	1.4%	1.4%	0.9%	1.3%	2.1%
2006	0.8%	1.6%	0.7%	0.5%	0.2%	0.8%	0.5%

4.2.6 Timeliness in Posting *Notices of Decision*

The Act requires a *Notice of Decision* to be posted on the Internet site, but does not specify a maximum delay for posting the notice. Data on actual delays are provided in **Table 11**.

Table 11. Delay in Posting *Notice of Decision*

	% of *Notices of Decision* Posted					Delay in Posting NOD (days)	
Year of NOC	Prior to decision	0 - 7 d after decision	8 - 30 d after decision	1 month - 1 year after decision	> 1 year after decision	Median	Average
2004	0.4%	62.4%	16.3%	14.4%	6.5%	1	55.0
2005	0.4%	66.9%	17.6%	14.0%	1.1%	1	24.2
2006	0.2%	73.5%	18.3%	7.9%	n.a.	0	8.8

The table indicates that roughly two thirds of *Notices of Decision* are posted within a week of the decision, and over 80% within a month. The data also show an almost six-fold decrease in the frequency of extreme delays (>1 year) in comparing those screenings with *Notices of Commencement* dating from 2004 to those with *Notices of Commencement* dating from 2005. The exact significance of this apparent improvement cannot be ascertained for the following reasons:

- The further in the past the *Notice of Commencement* was posted, the higher the likelihood a *Notice of Decision* would have been posted.
- As previously noted, there are potential accuracy issues related to the "section 20" decision dates indicated on *Notices of Decision*.

4.2.7 Duration of Screening Process

Data on the median and average duration of completed screenings during the period covered by the study are provided in **Table 12**. Calculations of duration are based on the commencement and "section 20" decision dates indicated in the *Notice of Commencement* and the *Notice of Decision*, respectively. They do not include the time interval between the date of the "section 20" decision and the date of completion of any required follow-up program.

Table 12. Screening Duration and Timeliness of Posting related Notices

Year NOC Posted	Duration of Screening*		Time Interval between Posting Dates of NOC and NOD	
	Median (days)	Average (days)	Median (days)	Average (days)
2004	60	110.5	80	153.9
2005	50	93.8	57	100.6
2006	41	61.9	44	59.4

* Calculations of screening durations were based on the date of commencement and the date of the "section 20" indicated in the Notice of Commencement and Notice of Decision, respectively, and did not take into account the time between the decision and the completion of any required follow-up program

The median and average time intervals between the posting dates of the *Notice of Commencement* and the *Notice of Decision* are also shown in the last two columns of the table. As would be expected those time intervals are longer than the duration of the screening, as a results of delays in posting notices.

The statistics on durations of completed screenings provided in Table 12 depend upon dates that, as discussed in previous subsections and in subsection 4.3.1, have accuracy issues. Nevertheless they broadly indicate that the time taken to complete a screening is quite short and appears to be decreasing, as indicated by decreasing median durations of screenings. Although average durations appear to have decreased even more dramatically, those statistics are more difficult to interpret because data sets dating to the more distant past would be more strongly influenced by screenings of very long duration than would data sets dating to the more recent past.

It is important to understand that the statistics provided in are Table 12 are dynamic rather than static. They will change with the passage of time, and cannot be reliably used for immediate year-over-year comparisons.

4.2.8 "Section 20" Decisions

Section 20 of the Act outlines the following optional courses of action available to a responsible authority after considering the screening report, identified mitigation measures and any public comments received "pursuant to subsection 18(3)" of the Act:

- Where the responsible authority is of the opinion that the project is not likely to cause significant adverse environmental effects, it may "exercise any power or perform any duty or function that would permit the project to be carried out in whole or in part"
- Where the responsible authority is of the opinion that the project is likely to cause significant adverse environmental effects that cannot be justified in the circumstances, it "shall not exercise any power or perform any duty or function conferred upon it by or under any Act of Parliament that would permit the project to be carried out in whole or in part"

- Where there is uncertainty about the significance or acceptability of the adverse environmental effects of the project, or there are important public concerns, the responsible authority shall refer the project to the Minister (of the Environment) for a referral to an mediator or review panel

In all but five of the 18,056 screenings addressed in this report, responsible authorities took the first course of action.

In three cases responsible authorities took the second course of action, and turned down the project on the basis of adverse environmental effects.

In no case did a responsible authority take the third course of action. However, two oil sands projects in Alberta for which screenings had commenced were referred to joint federal-provincial panels under section 25 of the Act well before they reached the point of a "section 20" decision. Section 25 allows responsible authorities to request that the Minister refer the project to a mediator or a review panel at any time if there is potential for significant adverse environmental effects or if public concerns warrant that type of assessment.

4.2.9 Follow-up Programs

The numbers of screenings where *Notices of Decision* indicate the existence of a follow-up program are summarized in **Table 13**, along with the number of those follow-up programs indicated on the Internet site to have been completed. It should be noted that the Internet site classifies a screening as having been "completed" once the completion date of the follow-up program indicated on the *Notice of Decision* is reached. This does not necessarily reflect the actual the situation on the ground, which is not tracked by the system.

Table 13. Screenings with Follow-up Programs

Year	Screenings with Follow-up Programs	Screenings with "Completed" Follow-up Programs
2004	253	176
2005	83	51
2006	45	11

The Internet site records indicate that responsible authorities sometimes post, on or on about the date they post their *Notice of Decision*, a generic *Follow-up Program* notice which provides only contact information. However, there has been no clearly identifiable instance of any *Follow-up Program* notice that provides "a description summarizing any follow-up program and its results or an indication of how a full description of the program and its results may be obtained".

The table shows a year-by-year decrease in the number of follow-up programs to be implemented. However, an examination of the follow-up programs associated

with screenings commenced in 2004 quickly reveals that many do not appear to be consistent with the Act's definition of the term, follow-up program. The apparent year-by-year decrease in the number of follow-up programs seems to be more a reflection of improved understanding of the term follow-up program than of an actual decrease in the amount of follow-up program activity. The 45 follow-up programs resulting from screenings commenced in 2006 appear to be a more accurate indication of the actual level of activity than the 253 follow-up programs resulting from screenings commenced in 2004.

4.3 Quality of Service provided by the Internet Site

4.3.1 Quality of Information Posted on the Internet Site

Although the Agency operates the Internet site and monitors information posted there, it is the role of responsible authorities to undertake screenings and to ensure that the related information they post on the Internet site is both accurate and appropriate.

The Internet site functions well at a technical level, but decentralized inputting of information and extensive automation of Internet site functions has inevitably given rise to certain data quality issues which are described briefly below.

Inaccurate Date Information

Date information associated with the posting of notices is entered automatically by the system, and is therefore highly reliable. However, as described in Subsection 2.2.3, during the period of the study both the date of commencement of the screening and the date of the "Section 20" decision required data inputters to manually enter information by overriding a default value. If no entries were made, the system would accept by default the respective posting dates of the Notice of Commencement and the Notice of Decision as the dates for the commencement of the screening and the "section 20" decision. Analysis of Internet site data revealed that this happened about 47 % percent of the time for both the date of commencement and the date of the "section 20" decision. Consequently the reliability of those dates is in question. As discussed in Subsection 5.1.1, the Agency recently modified the inputter's interface to eliminate the possibility of using default dates for the commencement of the environmental assessment and the "section 20" decision.

There is also considerable uncertainty surrounding the meaning of the term "commencement". Moreover, it is not always clear when the decision under section 20 of the Act occurs. Definitions provided in the Act do not shed light on those questions. Responsible authorities individually interpret the dates, and it is fair to assume that there is some inconsistency of interpretation.

Erroneous Selection of Items from Menus and Pick Lists

Much of the information on the Internet site is entered via pull-down menus, radio buttons and pick lists that allow inputters to select items from a pre-defined

potential choices. Occasionally erroneous selections are made. These tend to be random in nature, both among departments and agencies and among regions of the country. Characteristic errors of this nature include:

- Incorrect selection of the location of the project (see inputter's pick-list menu in **Figure 12)**
- Selection of inappropriate project descriptors

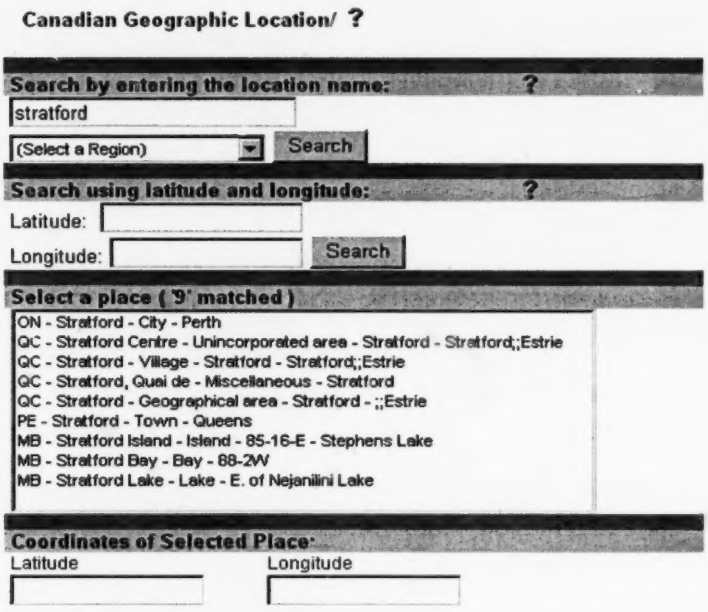

Canadian Geographic Location/ ?
Search by entering the location name: ?
stratford
(Select a Region)
Search
Search using latitude and longitude: ?
Latitude:
Longitude:
Search
Select a place (9 matched)
ON - Stratford - City - Perth
QC - Stratford Centre - Unincorporated area - Stratford - Stratford;;Estrie
QC - Stratford - Village - Stratford - Stratford;;Estrie
QC - Stratford, Quai de - Miscellaneous - Stratford
QC - Stratford - Geographical area - Stratford - ;;Estrie
PE - Stratford - Town - Queens
MB - Stratford Island - Island - 85-16-E - Stephens Lake
MB - Stratford Bay - Bay - 88-2W
MB - Stratford Lake - Lake - E. of Nejanilini Lake
Coordinates of Selected Place:
Latitude
Longitude

Figure 12: Input screen for selecting project location

It should be noted that the project descriptors provided in the pick lists do not cover the range of possible projects, causing potential dilemmas for persons inputting to the system.

Erroneous selections by inputters impair the utility of search functions of the Internet site that specifically depend upon the inputted information. They can also result in the insertion of incorrect or confusing information into Notices of Commencement and Notices of Decision.

Editing and Translation Problems

A range of editing problems was encountered in analyzing the content of notices posted on the Internet site. They include the following:

- Mistakes of spelling, grammar and syntax
- References to non-existent figures or tables

- Failure to properly finalize an earlier draft of the text [e.g., "The proponent had previously developed a new building (footprint **xxx** square metres)... "]
- Text repetition
- Inconsistent use of terminology
- Missing, incomplete or imperfect translations

In addition to the above issues that relate to the human inputs, there are a number of problems of grammar and syntax built into the automatic language functions of the system. For example, Notices of Commencement are always automatically dated, and always start out in the following manner: "(Name of responsible authority) will conduct a screening commencing on (either the date of the Notice of Commencement or a prior date) of the project ..." From the standpoint of grammar and syntax it would be preferable if the notice were to read: "(Name of responsible authority) is conducting a screening that commenced on (either the date of the Notice of Commencement or a prior date) of the project ..."

Misidentification of Responsible Authorities

Departments have occasionally been mistakenly identified as responsible authorities in Notices of Commencement posted by other responsible authorities. Problems of this nature were identified in April, 2006 by Fisheries and Oceans Canada during the preparation of the Agency's annual statistical summary of environmental assessments.

Confusing Sequences of Documents

In screenings involving public participation, the sequence of posting notices on the Internet site can be confusing for three interconnected reasons:

- A system business rule requires the *Public Participation Notice* to be posted before the *Scope of Factors Notice*.
- Another system business rule requires that the *Environmental Assessment Report Notice* be posted prior to the *Notice of Decision*.
- Responsible authorities have commonly used the *Public Participation Notice* as the initial vehicle for providing the screening report or a description of how a copy may be obtained.

The above have given rise to the following types of incongruous or unclear situations:

- The *Scope of Factors Notice* and *Environmental Assessment Report Notice* have often been posted concurrently.
- The *Environmental Assessment Report Notice* has often been posted after the screening report had already been made available for public review.

- When screening reports have been made available on two widely separated occasions, it has been unclear whether the two versions of the report were identical, or whether one was a draft and the other a final report.

Document List with only the Most Recent Version of Notice of Commencement

The Internet site provided a useful master list, in reverse chronological order, of the notices and documents posted for each screening. However, if the Notice of Commencement had been amended, only the most recent one was included in the list. To view earlier versions of the Notice of Commencement it was necessary to go to a second list associated with the current version of the Notice of Commencement. That second list, unlike the main list, was in chronological order. Overall this method of listing documents was inconvenient, cumbersome and confusing for the user of the Internet site.

Confusing Document Titles

Although the Internet site provided useful dated lists of links to documents posted for each screening, the listed titles of documents did not necessarily reflect their actual titles, content or purpose. Inputters to the Internet site had the option of choosing default document titles that did not correspond to the titles of the actual documents posted. Moreover, as indicated in the previous discussion about confusing sequences of documents, the inputters to the Internet site can "bury" a key document (e.g., the screening report) in a notice where it might not be expected.

The end result was that it was often difficult to determine the nature of the notices and documents posted without clicking the links to every listed document.

4.3.2 Availability of Screening Reports

Although the Act provides for the possibility of screening reports being made available online via the Internet site, that has seldom occurred (5 out of the 18,056 screenings addressed in this report). In the vast majority of cases a person wishing to consult a screening report would have had to request it from the contact indicated on the Internet site.

In attempting to assemble a collection of representative screening reports, the Agency had occasion to request several hundred screening reports from various contacts provided on Internet site notices. The Agency, as would be the case for a member of the public, used the contact information provided on the Internet site as the starting point for requesting each screening report.

The Agency originally requested a total of 820 reports, but subsequently determined that only 719 of those were both available and of interest. Out of that group of 719, it ultimately received 598 screening reports and abandoned attempts to obtain the remaining 121 because of the difficulties and delays encountered. In the majority of the 598 cases where screening reports were received, they were transmitted quickly and efficiently, but in some instances the

Agency had to be persistent in pursuing its request, and the responsible authority was not prompt in responding to it.

Nearly half of the reports (41%) were received in digital form via the internet, and the remainder, on either digital or paper media, via mail, courier or fax.

As indicated in Section 3.3, the Agency created a database for the specific purpose of managing information associated with acquiring reference collection of screening reports. The observations provided below are based on analysis of the information in that database. They are not necessarily reflective of what a member of the public might have experienced in similar circumstances.

Contact Validity

The contacts indicated on the Internet site were found to be up-to-date in 57% of the cases where attempts were made to reach them by telephone. In the remaining cases, the correct contact was one or more steps removed from the indicated contact.

Report Availability

In the majority of cases the report could be produced by the responsible authority. In some cases, however, the responsible authority either could not or would not produce it. In a few cases the screening report had not actually been written, or the report that was thought to be a screening report was actually some other type of report (e.g., Phase 1 Environmental Site Assessment; engineering report).

In cases where contacts refused to provide the screening report, their reasons typically related to concerns about compliance with the *Access to Information Act* and the *Privacy Act*. In some cases the contacts indicated that they had to seek the approval of a supervisor before they could release the report.

Timeliness of Responses to Requests for Screening Reports

Of the 598 screening reports that were ultimately received, 20% were received within a day and 44% within two weeks of being requested. However the average time to receive a report was 51 days, indicating some very long delays.

5 STEPS TAKEN TO DATE TO IMPROVE THE SCREENING PROCESS

5.1 Agency Initiatives

The Agency is responsible for the system-related aspects of the *Canadian Environmental Assessment Internet Site* (CEARIS), and shares responsibility with responsible authorities for the content-related aspects.

The Agency provides guidance and technical support to responsible authorities on the functioning and requirements of the CEARIS, including quality assurance considerations, and monitors evolving issues and policy questions related to the operation of the site.

The Agency also integrates quality assurance objectives and practices into the operation and ongoing development of the CEARIS. The unit of the Agency responsible for managing the CEARIS continuously tracks quality issues and compiles a prioritized list of items that may require eventual action by parties inside and outside of the Agency. It works with other groups of the Agency and with responsible authorities to define issues, resolve or identify potential solutions and track the status of their implementation.

At the time of writing, 400 specific items of interest had been identified. Some of those have already been addressed or are in the process of being addressed. Areas where notable progress has been made are described below.

5.1.1 Improving the Quality of Information on the Internet Site

The Agency's CEARIS team has implemented a data management plan involving ongoing and periodic review of system information. It works closely with responsible authorities in correcting data discrepancies and other system issues. It provides ongoing guidance and advice to responsible authorities inputting to the CEARIS, in order to promote the provision of accurate, complete and timely EA information to the public in both official languages.

5.1.2 Correctly inputting the Date of Commencement and the Date of the "Section 20" Decision

The Agency took proactive steps to address uncertainty about the accuracy of the dates indicated on Internet site notices for the commencement of the screening and the "section 20" decision. On 21 February 2006, it modified the inputter's interface to eliminate system default entries, thus requiring the inputter to make conscious decisions on the dates entered.

5.1.3 Timely Posting of *Notices of Decision*

In 2005 the Agency started sending each responsible authority, on a periodic basis, a list of all projects where a year or more had elapsed since the posting of the *Notice of Commencement* without the posting of a corresponding *Notice of*

Decision. Internet site data have clearly shown that the number of *Notices of Decision* has noticeably increased each time that action was taken.

5.1.4 Training Related to the Internet Site

The Agency has taken steps to ensure that its training programs reflect issues noted through its quality assurance efforts. The following training courses have been specifically modified on the basis of quality assurance findings:

- *Screenings under the Canadian Environmental Assessment Act*
- *Overview of the Registry; and*
- *How to Maintain the Canadian Environmental Assessment Registry*

5.1.5 Improving Online Guidance

The Agency has improved online guidance on both its "live" and "training" sites for data inputters. It has added online guidance on how to enter a *Notice of Commencement* and guidance on key characteristics of good project titles and good project descriptions. It has also provided some actual examples of good project descriptions on its training site.

5.1.6 Technical Improvements to Internet Site Functions

Several improvements have been made to the functionality of the CEARIS in order to address situations found to be either inconvenient or potentially confusing for the user. For example, search functions for international projects have been modified to make them more intuitive; quick links have been added to the home page; and work has been done to increase visibility of registry information on web search engines.

5.2 Interdepartmental Initiatives

5.2.1 Interdepartmental Registry Team

On 25 October 2006, an *Interdepartmental Registry Team*, chaired by the manager of the Agency's CEARIS unit, was established to address ongoing interdepartmental issues related to the management and improvement of the CEARIS. That team recently received the status of a permanent subcommittee of the *Senior Management Committee on Environmental Assessment* (SMCEA), the primary federal mechanism for interdepartmental cooperation on environmental assessment.

The *Interdepartmental Registry Team* has established and documented a governance structure and accountabilities for managing and maintaining the CEARIS, and is currently working on other initiatives that will improve the overall management of the CEARIS.

5.2.2 Work related to Public Participation in Screenings

As indicated in Subsection 4.2.2, responsible authorities are undertaking further work related to the interpretation and implementation of section 18(3) of the Act, and the nature of actual efforts made to obtain and consider information and views of the public during the conduct of screenings. The workplan comprises two parts.

The first part of the work involves compiling the policies and procedures applied by various responsible authorities in relation to obtaining and considering information and views of the public and to interpreting and implementing subsection 18(3) of the Act. It also involves compiling information on problems responsible authorities have experienced in interpreting or implementing subsection 18(3), as well as the suggestions they have for legislative or non-legislative solutions to those problems.

The second part of the work involves each department or agency examining a sample of screenings they posted on the Internet site, and identifying which ones involved efforts to obtain and consider information and views of the public. For those latter screenings, details of the nature of those efforts and their rationale are being tabulated. The above work is based on a government-wide random sample of 1000 screenings with *Notices of Commencement* posted in the second half of 2006.

5.3 Departmental Initiatives

Individual departments and agencies have also undertaken initiatives to ensure the quality and consistency of the screenings they undertake. The initiatives of Parks Canada Agency, Fisheries and Oceans Canada and Natural Resources Canada are described briefly below.

5.3.1 Initiatives of the Parks Canada Agency

Parks Canada Agency has developed and implemented an Operational Review Program as a mechanism to facilitate continuous improvement of screenings. That program was designed to address both compliance with the Act and regulations, and conformance with best practice. Its aim was to identify problems experienced in implementing the Act and to devise possible solutions. Through analysis of timeliness, thoroughness, and accuracy of assessments, the Operational Review Program has identified areas where training, improved procedures, or other forms of support are needed. Work on updating the program is currently underway.

5.3.2 Initiatives of Fisheries and Oceans Canada

Fisheries and Oceans Canada manages its environmental assessment activity via an internal system which has been adapted to include certain information requirements of the Internet site. Information in the departmental system is usually entered by the officer responsible for conducting the screening.

The department employs administrative personnel as regional coordinators for its Internet site responsibilities. Regional coordinators check for anomalies and inconsistencies in data inputted to the system. They also serve as the Internet site contacts that provide the public with information on specific assessments. A National Coordinator oversees the work of the regional coordinators and also ensures that they receive appropriate training and guidance.

Fisheries and Oceans Canada maintains a centralized in-house translation service, employing just two individuals experienced in translating the applicable terminology, to ensure accurate and efficient translation of documents that are posted on the Internet site.

The department also provides mandatory training to staff of the Habitat Management Program, the unit responsible for environmental assessments. It is currently developing environmental assessment courses, which will address, among other things, the department's Internet site responsibilities. Information of this nature is also included in an e-learning course which is mandatory for all staff of the Habitat Management Program.

5.3.3 Natural Resources Canada's Process Mapping Initiative

Natural Resources Canada completed a detailed mapping of the screening process under the Act. The process map was a precursor to developing performance measurement indicators. It will also help the department ensure that all steps in the screening process are followed, and to identify areas where efficiencies can be gained.

6 DISCUSSION

6.1 Effectiveness of the Internet Site

One of the most important amendments to the Act proclaimed on 30 October 2003 was the creation of the Internet site and the requirement for timely posting of *Notices of Commencement* for assessments. For screenings, this requirement, in conjunction with a provision of the Act prohibiting a "section 20" decision before the 15th day following the date of posting that notice, ensures at least some measure of before-the-fact transparency in relation to federal actions or decisions that might affect the environment.

The Internet site of the Canadian Environmental Assessment Registry functions well at a technical level, and has great potential as a tool for making the screening process transparent, both before and after environmental assessment decisions on projects are made. To date, however, only a fraction of that potential has been realized.

Online posting of long documents is extremely rare, and those wishing to consult those documents are forced to request them from contacts that may not always provide them in timely fashion. The screening report lies at the very heart of the process and is unquestionably the most important document for the public. Yet as indicated previously, only five of the 18,056 screening reports addressed in this study were posted online. Those screenings pertained to projects of obvious regional or national importance. Screenings of projects that would have potentially been of only local interest were never posted online.

The study has identified the following interrelated issues of quality, accuracy and consistency of information posted on the Internet site:

- The decentralized process for inputting information inevitable results in variability in the nature and content of notices posted on the Internet site. The project descriptions provided in Notices of Commencement constitute a particularly important case in point.
- There have been problems associated with inputting key dates that have compromised time-related statistics generated in this study. These are discussed extensively elsewhere in this report.
- The interaction between discrete information inputs, fixed and variable document formats and headings, and machine-generated language has resulted in sometimes ungrammatical, sometimes confusing and sometimes inaccurate notices. Correcting problems of this nature would generally fall within the Agency's legislative mandate related to "the form and manner of the Internet site".
- The Internet site requires ongoing operational quality assurance procedures. Because of its highly decentralized nature, this presents many challenges. To address those challenges, as indicated in Section 5.2.1, the roles and responsibilities of both the Agency and responsible

authorities inputting to the site have been developed into a governance structure and accountabilities document, and an Interdepartmental Registry Team has been established.

6.2 Public Participation in Screenings

The small number of *Public Participation Notices* posted on the Internet site would seem to suggest that public participation in screenings rarely occurs. However, both comments of responsible authorities and analysis of the content of a sample of screening reports indicate that activities that might be considered "public participation in the screening of a project" occur more often than is indicated by the existence of *Public Participation Notices*. Moreover, even when a screening involves posting a *Public Participation Notice*, it is possible that public participation events, other than the one advertised, may also have occurred.

Discussions with responsible authorities have revealed a number of complexities surrounding the interpretation and implementation of subsection 18(3) of the Act. Situations which may constitute "grey areas" of interpretation include public participation activities of the proponent or its consultant; or the use, in lieu of direct public participation in the screening, of information and views of the public generated by a prior process (e.g., planning process; previous environmental assessment).

It became clear that it would be necessary to improve understanding of the current government-wide situation regarding public participation in screenings to make it possible to clearly define the issues and to properly formulate any desirable improvements, be they of an administrative or legislative nature, Responsible authorities and the Agency have agreed to cooperate on further work to enhance understanding of the public participation situation.

6.3 Duration of Screenings

Although there has been considerable anecdotal commentary about screenings that have taken an unacceptably long time to complete, the Internet site data does not necessarily reinforce that impression. In some cases the data might even give the opposite impression.

Although some screenings on the Internet site appear to have remained uncompleted for very long periods of time, in many of those cases the "section 20" decision had actually been made, but a "business rule" in the system prevented a *Notice of Decision* from being posted. This was more of a technical issue than an issue of substance.

Significant accuracy problems were also identified in relation to the dates of commencement and "section 20" decision indicated on *Notices of Commencement* and *Notices of Decision*, respectively. Those problems have compromised the accuracy of statistics on screening duration generated by this

study. Accuracy problems caused by inappropriate default settings on inputting screens have been resolved. However, there is still inconsistency in the interpretation of the terms "commencement" and "decision". Until all of the problems affecting the accuracy of key milestone dates are rectified, the reliability of the statistics will remain somewhat in doubt. Once the problems are satisfactorily resolved, it will take some time before there is enough data to generate reliable statistics on the duration of screenings. Solving all of the problems associated with key milestone dates should therefore be a priority.

There is currently no way of determining from Internet site data the nature and extent of delays that might have occurred prior to *Notices of Commencement* being posted. That information is not part of the Internet site record. Moreover, no other reliable and accessible source exists for obtaining such information. As there is no formal application process for initiating a screening, there is no objective, consistent and verifiable milestone for establishing when a screening actually commences.

6.4 Follow-up Programs

The results of the study suggest that follow-up programs for screenings are not currently making a substantive contribution to improving environmental assessment practice. Assuming that 2006 statistics are reliable, they are employed in less than 1% of screenings. Moreover, the completion of follow-up programs is not publicized and their results are not made broadly and conveniently available. Although the Internet site could be used to make their results available online, this is not being done.

6.5 Effectiveness of Screenings

Although this study did not attempt direct evaluation of the quality of individual screenings, it did provide a clear snapshot of the variety and volume of projects being screened under the Act. That analysis clearly demonstrated that a very large variety and volume of projects are screened every year, and that in the majority of cases the screened projects had relatively low individual potential to cause adverse environmental effects.

More work will be required to more fully understand the potential for adverse environmental effects of various types of screened projects and the specific benefits derived from conducting screenings in the full range of situations encountered. However, such analysis would not likely alter the conclusion of this report that the great majority of projects screened under the Act tend toward the lower end of the scale of potential to cause adverse environmental effects.

This report's initial analysis of the variety and volume of projects screened under the Act provides valuable context for interpreting the other information presented in the report. The variety and volume of screenings impact directly on the amount of resources available for each screening, and are therefore likely to affect such

aspects as the use responsible authorities make of the Internet site; the nature and extent of public participation; the design and implementation of follow-up programs; and the duration of screenings. Ultimately they can be expected to affect the quality of screenings and the environmental benefit derived from conducting them.

The considerations discussed above are also relevant to the upcoming parliamentary review of the Act, and the report's initial analysis of those considerations provides a useful starting point for developing data on screenings to inform that review.